Pt. IX

1950. **File No.** 6919/36

P.W. **DEPARTMENT**

A CLASS E **BRANCH** (II)

Subject:—

Pay.

Government Servants

Under P.W.D

Revisim of the Scales of --

A [K] 1950

Pt. IX

File No. 6919/36 E (II) Br.

Ed. Scott. Ship. 24 A.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Pt. IX

Subject :—

File No. 69/19/36

P.W. **DEPT.**

E **BRANCH.** (E)

References :—

Copies from main A(C)

Date.	To whom sent.	Notes and instructions.

Below Executive Engineer, Irrigation Projects Division (South), Belgaum's Letter No. GR. 23/CR/ 416, dated the 2nd February 1948.

Very Urgent.

No. GR. 69/298.

Office of the Superintending Engineer,
Special Investigation Circle,
Poona No.1. 14 February 1948.

* Typed on ~~reser-~~ ~~ves.~~

Copy forwarded with compliments to the Secretary to Govt Public Works Department, with reference to Government Resolution (Finance Department) No. 6567/33-I, dated the 15th January 1948, and with a request to obtain Government orders on each of the two points raised by the Executive Engineer.

2. It is presumed that in the case of temporary subordinates who have been granted higher rate of starting pay, as per Government Resolution (Public Works Department) No. 6717/36, dated the 17th July 1944, the 'present basic pay' for the purpose of refixation of pay, in accordance with the Finance Department Resolution referred to above, should be taken to mean the pay which the subordinates would have drawn had they started on the minimum of the time scale applicable to each case prior to the isue of these Rules. In fact, it may be considered as to whether the orders with regard to higher starting pay' issued in Government Resolution (Public Works Department,) No. 6717/36, dated the 17th July 1944. may be allowed to remain in force hereafter.

3. With regard to the starting pay of Engineering Graduates the orders issued in para 2 of Government Resolution (Public Works Department) No. 6717/36(1), dated the 16th October 1946, It is presumed, still hold good as they are toremain in force on a temporary basis for a period of two years in the first instance from the date of Government Resolution (viz.16th October 1946).

Id.
Superintending Engineer,
Special Investigation Circle.
Id.

Copy forwarded with compliments to the Executive Engineer Irrigation Projects Division (South) , Belgaum.

2. Government orders in the matter should be awaited.

3. This also dispose of his letter No. A-5/A/566, dated the 9th February 1948.

VERY URGENT
Letter.

No. G.R. 23/CR/416.
Office of the Executive Engr.
Irrigation Projects, Division (South)
Belgaum : 2nd Februayy 1948.

To

The Superintending Engineer,
Special Investigation Circle.

Subject:- Bombay Civil Service (Revision of Pay) Rules , 1948.
- Higher starting pays to temporary and work-charged establishment-

Reference:- G.R.F.D., No.6567/33-I dated the 15th January 1948.

2. This Division was originally opened as Road Projects Division (South) and was subsequently converted into Irrigation Projects Division ever since 23rd March 1944, purely on temporary basis and so most of the establishment under the several catagaries are temporary. In accordance with the orders contained in paras 2 and 4 of G.R., P.W.D., No. 6717/36, dated 17-7-1944 and G.R., P.W.D. No. 6717/36(I), dated 16-10-1946 higher starting pays were granted to the persons appointed under the categories concerned by the Superindending Engineer, Project Circle. Now in fixing pay of such subordinates in the scales prescribed in the Bombay Civil Services (Revision of Pay) Rules , 1948, a difficulty has arisen as to whether the " present basic Pay" should be taken to mean the higher rate of pay already being drawn by them or the pay which they would have drawn had started on the minimum of the time scale applicable to each case prior to issuedof these Rules. Second point for consideration and orders of Government is as to what starting pay should be allowed to an Engineering Graduates in the scale presbribed in the said rules. So far such men were alowed Rs, 120/- P.M. after one year's probation on Rs. 70/- vide para 1 of G.R. P.W.D. No. 6717/36 dated 17-7-1944.

3. If you agree, orders of Government on the two points may please be obtained immediately.

Sd/- P.M. Mane.
Executive Engineer,
Irrigation Projects Division
(South).

A. - Entered in Govt. service on 30-6-1928.

He was karkoon on tempy. Estt. for Y.-M.-D. 5-1- 29.
He was Inspector on Tempy. Estt. for 1- 1- 7.
He was xclerk on tempy. Estt. for 9- 5- 20.
He was made permanent on 1-4-43.
against one of the posts sanctioned as per G.R. P.W.D. No. 3260/36 of 19-11-43. ~~xxxxxxxx~~Y.M. D.
His permanent service as clerk up to 1-1-47. is 3-9-0

(1) As A.G., Bombay in Form II attached with his letter No. T.M. 1858 of 27-1~~2~~ 48 wants only the completed years of service in corresponding scale it is presumed that his service on tempy.Estt. and also on the permanent Estt. as clerk in the scale of 30-5/2-70 is to be taken into account for fixation of his pay.

(2) As he is Matriculates his starting pay for fixation of the pay is to be taken as 55 for fixing his pay under- Rule 8(i) (c) of G.C.M.F.D. No.6567/ 33-III of 15-1-48 and his pay would be as under as per G.R., F.D.,No.6567/ 33-I of 15-1-48:-

	8(1) (a)	8(1) (b)	8(1) (c)
			55
His~~x~~ pay on 1-4-45. is Rs. 60/- plus T.A. pay Rs.10/-	61 +6 increment- @ 3/- = 18/-	60 +15 75 Next stage. 76	+10 increments. @ 3 =30
	79	76	85

Lowest of three is 76.
i.e.,His pay on 1-1-47 would be Rs. 76/-
and on 1-4-47 Rs. 79/-

If however only the substantive pay in the permanent post is considered as basic pay for fixation of the pay as per rule 8(a) of the G.R. only as his permanent service of Y.3-M.-9 D. -0 will have ~~xx~~ to be taken into account for ~~xxx~~calculation purposes and if the starting pay of Rs. 55/-is not admissible in the case of Matriculates already in service the pay would be fixed as under:-

	8(1) (a)	8(1) (b)	8(1) (c)
His pay on 1-4-45 is Rs. 60/- T.A.P. 10/-	61 +3 increments @ 3 = 9	60 +15 75. Next stage 76	46 3 increment @ 3/- = 9
	70	76	55. 55.

Lowest of the three would be Rs. 55/- i.e., His pay on 1-1-47 would be Rs. 55 + P.P. Rs. 15/- and on 1-4-47 Rs. 58 + P.P. 12/-

Letter.

No. 1292.

Deccan Irrigation Circle,

Poona 1: 17th February 1948.

To

The Secretary to the Government

of Bombay , Public Works Department,

BOMBAY

Subject:- Bombay Civil Services.
(Revision of pay) Rules 1948.

While actually revising the pays of establishment in accordan ande with G.R. F.D. No. 6567/33-I dated the 15-1-48 , the follo wing doubtful points have been noticed and may kindly be clarified.

1) Whether initial pay admissible for a matriculate as per G G.C.F.D. No. 6567/33-III , dated the 15-1-48 viz. Rs. 55/- is to be taken as on 1-1-47 for ~~xxxxxx~~ calculation of pay under Rule 8(1) (c) of the above Government Resolution.

2) ~~Whether~~ Whether temporary ~~xxxixxx~~ service rendered by the clerk prior to his ~~permanxeny~~ permanency in the corresponding scale can be taken for purposes of completed years of serice in that scale for calculating under Rule 8(1) & (c). 1A

A concrete example covering the above two points and also showing alternative calculations is worked out and enclosed for reference . It will be seen from it that a clerk having put in 13 years of service as a clerk in the scale of 30-5/2-70 will be a loser if his temporary service in that scale is not taken into account and Rs. 55/- not allowed as starting pay in the prescribed scale from the date it ~~xxx~~ is brought into effect viz. 1.1.47.

2. In accordance with orders issued in G.R., P.W.D. No. 6717/36 dated the 17-7-44 , higher starting pays to clerks etc. have been granted . It is therefore a question whether this ~~xhx~~ higher starting pay or the pay that would have been admissible to them after earning increments in the old scale had they been appointed on the initial pay of Rs. 30/- should be taken for purposes of calculation under Rule 8(1) (a) (c).

3. It is presumed that orders issued in G.R., P.W.D. No. 6717/36 dated the 17-7-44 authorissing the grant of higher starting pay will be inoperative with the issue of orders in G.R., F.D. No. 6567/33-I dated 15-1-48.

D.A.
1 Statement.

Id.
Superintending Engineer, D.I.C.

Letter.

From

The Superintending Engineer,
Southern Circle.

To

The Secretary to Government,
Public Works Department,
B O M B A Y.

No. G.R. 69.

Public Works Department,
C.V. Belgaum, 18th February 48,

Subject:- Bombay Civil Services:
(Revision of Pay) Rules 1948.

Reference:- G.R. (F.D.) No.6567/33-I, dated 15th January 1948.

The existing pay scale for the Subordinate Service of Engineers is Rs. 70-5-100-E.B.-10-180-E.B.-10-250 with Rs. 275/- as selection grade for 3 percent of the cadre. The starting pay in this scale admissible to an Engineering Graduates is Rs. 120/- for the period of probation and it is raised to Rs. 130/- on completion of two years' service (one year of proration and one year after confirmation), vide para 2 of G.R. No. 6717/36(1), dated 16th October 1946.

2. The above scale of pay has now been revised to Rs. 80-5-100-8-140-E.B.-10-220-E.B.-10-270 with Rs. 300/- (selection grade for 3 per cent of the cadre) but the starting pay admissible in this scale to an Engineering Graduates has not been laid down. Starting pay in the case of Graduate Overseers if fixed in the new scale on the lines similar to the existing scale, will be Rs. 132/- which will be equivalent to Rs.120/- in the existing scale. A Graduate Overseer will, therefore, have to be started at Rs. 132/- for two years whereafter he will be eligible to Rs. 140/- in the new scale of pay.

3. I recommend a starting pay of Rs. 132/- to an Engineering Graduates for the period of probation, which should be raised to Rs. 140/- after

completion of two year's service, and request that Govt. may kx in your concurrence, kindly be moved to accord approval to to the proposal.

4. Very early orders are requested to enable this office totake action to refix in the revised scale the pays of Engineering Graduate Overseers on the Permanent Establishment in this Circle.

Sd/-.

Superintending Engineer, S.C.

L E T T E R.

From

The Superintending Engineer,

Southern Circle.

To

The Secretary to Government,

Public Works Department,

B O M B A Y.

No. G.R. 69. Public Works Department.
C.U. Belgaum, 20th Febr. 1948

Subject:- Bombay Civil Services
(Revision of Pay) Rules 1948.

Reference:- G.R.(F.D.) No.6567/33-I, dated 15th January 1948.

In accordance with the orders contained in the marginally noted Government references, the following classes of subordinates on the temporary and work-charged establishments have been given higher starting pay and increments upto the maximum limits of monthly pays fixed therein for the particular class of establishment:-

1. G.R. No. 6717/36, dated 17th July 1944.
2. Govt. Letter No. 6717/36-E(II) , dated 27th April 1945.
3. Government Letter No. 6717/36-E(II), dated 28th Jnue 1945.
4. Government letter No. 6717/36(1)-E(I), dated 9th January 1946.
5. G.R. No. 6717/36(2) , dated 16th October 1946.

(1) Overseers and Surveyors, (2) Clerks (qualified), (3) Computors, (4) Tracers and (5) Karkuns.

2. The concession of higher starting pay has not so far been withdrawn by Government and it is presumed that it is applicable even after the introduction of Revision of Pay Rules 1948. This may kindly be confirmed.

3. In the case of last grade graduate and qualified clerks officiating on Permanent or Temporary Establishment, the starting pay on the revised scale being-

Rs. 55/- for matriculates,

Rs. 64/- " graduates.

Rs. 70/- " Honours Graduates.

the maximum limit of Rs. 50/- P.M., sanctioned in G.R. dated

dated 17th July 1944 referred to above is inoperative. Similarly the maximum limit of higher starting pay of Rs. 40/- for temporary or work-charged Sectional Karkuns sanctioned in Government Letter dated 27th April 1945 referred to above is not applicable now as the starting pay of karkuns has been fixed at Rs. 46/-P.M., in the revised scale of Rs. 46-3-85.

4. In the case of pays of the temporary and work-charged men who are in receipt of higher starting pays are to be fixed in the revised scales the- question arises as to whether their present pays which are already higher (except in the case of last grade clerks and Sectional Karkuns) are to be taken as "Present Pay" and increments according to the length of service added to it under Rule 8 of G.R.(F.D.) No. 6567/33-I, dated 15th Janauary 1948. Instructions re regarding fixation of pay in the revised scale in all such cases may also kindly be issued.

5. According to Government Letter No. 2648/36-E(II), dated 3rd October 1947, the pays of clerks, tracers computors and karkuns receiving higher rates of pays are required to be first calculated on the basis of their length of service in their respectice categories of posts and the rates of pays so arrived at reduced by 16% on their appointment to permanent posts. Some clerks officiating on the permanent and temporary establishments in this Circle were recently brought on to the permanent establishment and their pays were fixed in the old scale of pay viz. Rs. 25-5/2-65 according to the above orders. Orders are requested as to whether the pays of these clerks may be refixed in the revised scale of Rs. 46-3-85-E.B.-4-105 after adopting the principles laid down in the Government Letter No. 2648/36-E(II), dated 3rd October 1947

6. The revised.....

6. The revised pay scales are applicable to all persons who are under the rule-making control of the Governor of Bombay with the exceptions- mentioned in Rule 10(1) of the Revision of Pay Rules 1948. Since the Work-Charged establishment is not governed by B.C.S. Rs. , orders are solic-ited whether the revised Pay Rules 1948 may be made applicable to work-charged establishment and the pays of the sub-ordinates borne on that establishment refixed accordingly.

Very early orders on all the points raised above are requested.

Sd/-.

Superintending Engineer,S.C.

13

Letter.

No. D/50. Deccan Irrigation Circle
Poona 1, 29th February 1948.

To

The Secretary to the Govt. of Bombay,

Public Works Department, Bombay.

Subject:- Bombay Civil Services.
(Revision of Pay)
Rules , 1948.

Reference:- Government Resolution,
Finance Department No.6567/
33-I, dated the 15th January,
1948.

I su-bmit below an anamalous case of a clerk who is being penalized on account of his promotion to the Higher grade in the same promotion group sanctioned in Government Resolution, F.D., 150/33 of 24-8-1936,.

2. The case in question is as under :-

'A' was appointed as Head Clerk to the Executive Engineer on 14-10-1939 and his pay in the revised scale as worked out by the application of Rule 8(1) will be as under if he had continued as Head Clerk in the grade of Rs. 115-5-160 till the date of revision.

Pay under Rule 8 (a) will be Rs. 160 , *+40= Rs. 200

* 4 increments for 7 years service. (190 maximum of the scale).

Pay under Rule 8 (b) will be Rs. 155 +20= 175 and

next stage= Rs. 180.

Pay under Rule 8 (c) will be Rs. 190 .

His pay will, therefore be fixed at Rs. 180/-i.e., the lowest of the three and will get one increment on 14 -10-47 thus raising his pay to Rs. 190/- on 14-10-47.

3. The date required by Accountant General's Circular No. TM 1858 of 27-1-48 is as under:-

1) The clerk is a post - 1931 entrant.

2) Prescribed scale= Rs. 150-10-200.

3) Corresponding scale= Rs. 135-5-180.

4) Completed years of service- Y. M. D.
1- 2 -12 as 1st clerk.

5) Existing scale = 135-5-180.

6) Present pay Rs. 155 from 14-10-46.

4. 'A' was promoted from the post of a Head Clerk in the Executive Engineer's office to the post of 1st clerk in the Superintending Engineer's office on 19-11-45 in the grade of 135-5-180 on the same pay being in the same promotion group the latter post having not been declared as one of higher responsibility.

His pay as first clerk in the prescribed scale under Rule 8 as 1st clerk comes to Rs. 165/- as shown below against Rs. 180 (as worked out in para 2).:-

Pay under Rule 8 (a) will be Rs. 160 +10 (only one increment) = Rs. 170.

Pay under Rule 8 (b) will be Rs. 155 + 20 = 175 and next stage = Rs. 180-.

Pay under Rule 8 (c) will be Rs. 150 +10= 160

His pay will, therefore, be fixed at Rs. 160+5 Personal pay = Rs. 165 under Rule 8 (2) (Existing pay being Rs. 165).

It cannot be.....

It cannot be the intendtion of Government that a person should suffer a loss of Rs. 15/- p.m. permanently on account of his promotion to higher grade in the same promotion group.

If the clerk is allowed to count all his service as Head Clerk and 1st Clerk as completed years of service' being in the same promotion group as the particular post is within the cadre concerned ; then he will be eligible for Rs. 180/-.

I request that Government may be moved to approve the above proposal of treating the service as Head Clerk and 1st Clrek for calculating the completed years of service and thus allow the clerk concerned to draw Rs. 180/- from 1-1-47 as a special case.

Sd.
Superintending Engineer, DI.C.

Copy of letter No. D.A. IX-2275 dated 8th March 1948 from the Accountant General, Bombay to the Executive Engineer, Ahmednagar Division, Ahmedanagar Regarding:- Bombay Civil Services ((revision of Pay) Rules. 1948.

" With reference to your letter No. 2042 dated 11-2-48 I have the honour to state that the higher starting pays given to men in the P.W.D according to the orders contained in G.R. P.W.D. No. 6717/36 dated the 17-7-44, may be taken as the present pay for purposes of fixing their pays in the prescribed scales, i.e., the pay drawn actually on the date of fixation of pay is to be taken into account.

2. Your presumption viz. that the orders in G.R.P.W.D. No. 6717/36 dated 17-7-44. will be in operative from 1-1-47 is also correct."

URGENT.

No. 2776. of 1948.
Poona 2-4-1948.

To

The Secretary to Government,

Public Works Department, Bombay.

Subject:- Fixation of pays: Bombay Civil Services (Revision of Pay Rules). 1948.

Clerks and Karkuns on temporary (and officiating) establishment were given higher starting pays of Rs. 45 /- to Rs. 50/- against initial starting pay of Rs. 30/- admissible to permanent clerks in the pre-revised scales of 25-5/2-65 in accordance with G.R. P.W.D. No. 6717/36 of 17th July 1944. A difficulty had however arisen while fixing the pays of these persons in the revised Scale of Rs. 46-3-85-4-105 as to whether their present pay (i.e., actually drawn by them with reference to higher starting pays) or the pay that would have been admissible to them after earning increments in the old scale had been appointed on the initial starting pay of Rs. 30/- should be taken as present pay. This was referred by the Executive Engineer, Ahmednagar Division to A.G., Bombay and a copy of this reply is attached for your information .

In his letter reffered to above, A.G. has expressed that the higher starting pays given to persons in the P.W.D. according to the G.R. quoted above may be taken as the present pay for purposes of fixing their pays in the prescribed Scales. If this were allowed, I am afraid, the decision may create discontend amount the permanent members of the staff- The permanent clerks having put in considerable number of years service will get only Rs. 55/- on their refixation of pays while the temporary clerks who have put in hardly a year's service will be entitled to get Rs. 58/-. In the circumstances, I request you to issue clear orders in the matter as to whether the higher starting pays

granted to temporary clerks have to be taken as their present pays for purposes of fixing their pays in the revised scales.

Regarding the higher starting pays also, A.G. has stated that the orders contained in the G.R. referred to above will be inoperative from 1-1-47 on the advent of the G.R. F.D. No.6567/33-I dated 15-1-1948 . But the orders for the higher starting pays have not been revoked by Government up till now and I therefore presume that higher starting pays ca can be made admissible to temporary clerks and overseers. In the case of clerks , the starting pay given in the revised scales is already more than the higher starting pay that was being given to temporary clerks, proviously and hence in this case the oorders granting higher pays get automatically inoerative. The case of overseers, however, is different and in the absence of specific Government orders on the subject, previous Govt. Orders Granting higher starting pays upto Rs. 200/- to engineering graduates and to Rs. 130 to diploma holders according to years of experience will remain in force, even at present.

Early Government orders are solicited.

Id.
Public Health Engineer, to
Government of Bombay, Poona.

D.A. 1 Copy of letter.
SST. /31-3-48.

No. 1214 of 1948.
Office of the Supdtg. Engr.,
N.C.,
Ahmedabad, 1st Appil 1948.

To

The Secretary to Government,
Public Works Department,
Bombay.

Subject:- Higher starting pay to Overseers and Surveyors.

In the Government Resolution , P.W.D. No. 6717/36 (1) dated 16-10-46 Government have delegated powers to the Superintending Engineers, to appoint B.Es., or D.C Es. practical persons as temporary or work charged overseers upto a maximum of Rs. 200/- and Rs. 130/- per mensem respectively . As the pay scales have since been revised under Government Resolution, Finance Department No. 6567/33-I dated 15-1-1948 and the pay scale now prescribed for the post of overseer is Rs. 80-5-100-8-140 -E.B.- 10-220-E.B-10-270, I may please be advised whether the Overseers still hold good, if not how the pays of the Overseers who have already been allowed higher starting pay can be refixed. / the orders regarding the grant of higher starting pay to

2. It may be mentioned here that the Government were pleased to grant the higher starting pay and to allow relaxation of educational qualification and age limits in newly appointing temporary work charged overseers and surveyours in view of the difficulties experienced in redruiting them and as the same conditions exist, It is desirable that the higher starting pay is allowed to continue till the conditions of recruitment Improve.

Sd/-

Superintending Engineer,

Northern Circle,

17

URGENT.
No. G.R. 84/3230.

Public Works Dept.
Bombay, 9th April 1948.

To,

The Secretary to Government,

Public Works Department,

BOMBAY.

Subject:- Higher starting ~~xx~~ pay to temporary and work-charged establishments.

Reference:- Government Resolution (P.W.D.) No.6717/36(I) dated 16th October 1946.

2. The Superintending Engineers, have been authorised to grant higher starting pays in the payscale for the subordinate service of Engineers, viz., Rs. 70-5-110-E.B.-10-180-E.B-10-250 with Rs. 275/- as selection grade, to those possessing degrees or diplomas in Engineering subject to the maximum limit of Rs. 200/- in the case of graduates and Rs. 130/- in the case of diploma~~x~~ holders and experienced non-qualified men. In accordance with these orders several appointments on the temporary and work-charged establishment have been made in this Circle after ~~tkx~~ taking into consideration the past experience and services of the candidate in this Department or elsewhere, and their starting pays fixed with in the maximum limit laid down by Government. These ~~xxxx~~ men have also been given the temporary additional pay of Rs. 10/- p.m., sanctioned in Govt Resolution, Finance Department No. 6261/33 dated 16th September 1946.

3. The new revised scale (1948) for overseers is Rs. 80-5-100-8-140-E.B.-10-220-E.B.-10-270 with Rs. 300/- as selection grade, and the pays of these temporary men have to be fixed in the Revised scale. The only way to do this seems to be to consolidate the pay and the temporary additional pay. Thus, a B.E., drawing Rs. 180/-p.m., plus Rs. 10/- temporary additional pay should be given Rs. 190/- p.m., from 1st January 1947 or from the date of his appointment in this Department, whichever is later,

A/D.C.E., or a xxxx practical man drawing Rs. 110/- p.m., plus Rs. 10/- temporary additional pay will have his pay fixed at Rs. 116/- p.m., plus Rs. 4/- personal pay. I request approval of Government to this proposal.

4. This also raises the question at to whether the limits of Rs. 200/- for a B.E., and Rs. 130/- for a D.C E., or a practical man xxxx laid dwon in the Government Resolution dated 16th October 1946 referred to in para 1 above may not be raised to Rs. 210/- and Rs- 140/- respectively, in order to cover the temporary additional pay given to the men appointed on the maximum of the limits mentioned above. It is therefore requested that these limits may please be raised to Rs. 210/- and Rs. 140/- for the reasons explained above.

5. No difficulty is experienced in refixing the pays in the revised scales of Clerks, Tracers, etc., appointed an higher starting pays.

Sd. 9-4-.

Superintending Engineer B.C.

-31 19

No. G. 105/4337.
Public Works Deptt.
Bombay 14th May 1948.

To

The Secretary to Government,
Public Works Department, Bombay.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948.

----@--

Reference:- Government Resolution, Finance Department No. 6567/33 I dated the 15th January 1948.

2. The prescribed scale for overseers is now Rs. 80-5-100-8-140-E.B.-10-220-E.B.-10-270, vide page 59 of the Schedule, but there is no mention therein as regards the starting pay admissible to an engineering graduate. When the pay scale of the Subordinate Service of Engineers was revised to Rs. 70-5-100-E.B-10-180-E.B.-10-250 from 1st July 1944 in Government Resolution, Public Works Department, No. 6717/36, dated 17th July 1944, the starting pay admissible to an engineering graduate was fixed at Rs. 120/- per mensem after one year's probation on Rs. 70/- per mensem. This starting pay was subsequently refixed at Rs. 120/- per mensem both for the period of probation and for the year after confirmation (i.e. for two years on Rs 120/- p.m.). vide paragraph 2 of Government Resolution Public Works Department No. 6717/36 (I), dated 16th October 1946. Now that the scale of pay for the Subordinates Service of Overseers has been revised by raising the minimum from Rs. 70/- to Rs. 80/- and the rate of increments after reaching the stage at Rs. 100/- has also been changed from Rs. 10/- to Rs. 8/- it seems necessary that the starting pay to be given to a graduate overseer appointed to the Subordinate Service of Engineers should be refixed from Rs. 120/- (which does not fall in any stage in the prescribed scale) to Rs. 124/- or Rs. 132/-. I would therefore request that Government may please be moved to sanction either of these two as the starting pay of an engineering graduate appointed to the Subordinate Service of Engineers.

Sd.
Superintending Engineer, B.C.

Letter

From
The Superintending Engineer,
Southern Circle.

To
The Secretary to Government,
Public Works Department,
BOMBAY.

No. G.R. 69.

Public Works Department.
Belgaum, 3rd June 1948.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948.

Reference:- This Office Letter No. G.R. 69, dated the 20th February 1948.

Early orders of Government on the points raised in the letter quoted above are requested.

2. According to para 3 of G.R. (F.D.) No. 6567/33-II, dated the 15th January 1948, cases in which emoluments already drawn exceed the sum of the pay in the prescribed scale and the dearness allowances admissible in the prescribed scale in the schedule to the Bombay Civil Service (Revision of pay) Rules 1948. the recovery of excess amount drawn is required to be waived.

3. As already explained in para 5 of the letter referred to above some clerks officiating on permanent establishment and temporary were recently brought on to the permanent establishment. In some such cases recovery of the amount drawn in excess is required to be waived as per G.R. quoted above. A question has arisen tas to whether the recovery in such cases can be waived by the Superintending Engineer as Head of the Department or the cases should be reported to Goveernment for sanction to the waving of the recovery of the excess amount drawn. Orders on this point are also solicited.

Sd/-
Superintending Engineer, S.C.

VERY URGENT.

Letter.

No. 3526 of 1948.
P.W.D. Eastern Circle Office,
Sholapur 9th June 1948.

To

The Secretary to the Government,

Public Works Department,

BOMBAY.

Subject:- Grant of Revised pay scales to Work charged establishment.

I have to state that in accordance with the Orders in Government Resolution Finance Department, No. 6261/33-32663-B dated 26-10-1946, interim relief was given to work charged establishment. Also under para 2(c) of Govt., Public Works Department, letter No. 8389/36-E (II) dated 26-5-1947 and 11-12-1947 the first and Second bonus was granted to the work charged establishment.

2. In the orders issued in Government Resolution-Finance Department No. 6261/33 dated 15-7-1947 Government has ordered that the 2nd bonus sanctioned like the monthly interim relief earned since 1.1.47 should be taken into account in computing the amount due to be paid when retrospective effect is to be eventually given to revised pay scales and allowances from 1.1.47. This means that the Revised Pay Scales are also applicable to work charged establishment from 1.1.47 and that the interim relief and 2nd bonus granted to them have to be adjusted as has been done in the case of temporary establishment.

3. Rule 10 of the Bombay Civil Services (Revision of Pay) Rules 1948 lays down that prescribed scales shall apply to all persons who are under the Rule making control of the Governor of Bombay except those mentioned in Sub-Rule 10(1). It seems, therefore, that therevised scales are also applicable to the work charged establishment from 1.1.1947 The matter is not free from doubt.

4. As the provision on account of their increased pay and he

the arears of pay from 1.1.1947 will have to be made in the ~~xx~~ current years estimates for works if the work charged men are considered eligible for the same, very early orders are solicited.

Id.

Superintending Engineer,
Eastern Circle,

39

6919/36.
29939.

What should be taken as basic pay for purposes of refixing the pay under rule 8 of the B.C.S. (Revision of pay) Rules 1948.

The term ' basic pay ' is defined in the B.C.S. (Revision of Pay) Rules, 1948 as the amount drawn monthly by a Govt. servant as pay as defined in B.C.S. Rule 9(39) (a) (i), vide rule 2 ibid. ' Presment Pay' is also the basic pay of the Govt. servant in the existing scale at the time of fixation of his pay in the prescribed scale.

2. In order ~~x~~ to facilitate recruitment, the Local Officers were ~~xxxxx~~ authorised ~~xxxxxxxxxx~~, ~~xxx~~ subject to certain conditions, to grant higher starting pays in the prescribed scales to the following categories of establishment:-

(1) Overseers and Surveyors.	Upto Rs. 200 to B.Es. and Rs. 130 to D.C.Es.
(2) Clerks.	Upto Rs. 50/-
(3) Computors.	
(4) Traceas	
(5) Sectional Karkuns.	Upto Rs. 40/-
(6) Qualified drivers.	Upto Rs. 80 in the scale of Rs. 40-5/2-80.
(7) ~~Machines~~ Mechanics	Up to Rs. 60 in the scale of Rs. 40-5/2-60-E.B.-5/2-90.

The questioon...

The question of revising the orders xxx,reg, grant of higher starting pay is under separate condideration, in file No. 9564/36. The local officers have been asked to submit their views.

3. The Local Officers have raised the following two points in con. xxx with the fixation of pay under the revised pay scales:-

(i) Whether the higher starting pay granted to a subordinate in view of the recruitment difficulties should be taken as the present pay for purposes of fixing the pay under rule 8 of he Bombay Civil Services (Revision of pay Rules 1948);

or

(ii) Whether the present pay may be taken as the pay a subordinate would have drawn, had he started on the minimum of the time scale applicable in each case.

The S.E., D.I.C., has recommended that the "basic Pay" (this also means present pay) should mean the pay which the Subordinate would have drawn had he started on the minimum of the corresponding scale of pay. The P.H.E. to Govt. has also agreed with this view. The S.E., B.C., has, however, stated (in respect of refixing the pays of overseers) that the only way to revise to refix the pays would seem to consolidate the pay and the temporary additional pay that the subordinate was drawing on 1st January 1947, xxx xxx or from the date of his appointment in this Department, whichever, is later. The A.G., Bombay, in reply a reference from the Ex.Engr. , Ahmednagar Dn., had stated that higher starting pays given to men in the P.W.D. according to the orders contained in G.R., P.W.D. No.6717/36, dated the 17th July 1944, may be taken as the present pay for purposes of fixing their pays in the prescribed scale, i.e. pay drawn actually on the date of fixation of pay is to be taken into account.

4. The method of fixing pays under the B.C.S.(Revision of Pay) Rules, 1948 is explained in rule 8 thereof, and the pay as refixed has to be the minimum of the three alternatives laid down in the xxx rule. The higher starting pays have bee

been allowed in the case of the "temporary establishment" only. Their cases will mostly come under rule 8(i) (c). This question was discussed to some extent in respect of fixing of pays of temporary Jr. Engrs. under the Electrical Grid, and the El. Commr. to Govt. is proposed to be informed that the pays of Jr. Engineers, should be fixed under rule 8(i) (c) of the B.C.S. (Revision of Pay) Rules, 1948. In view of the above discussion the following rule may be adopted, if approved:-

"The basic pay means present pay (including higher starting pay) drawn by a Government servant in the existing scale, (i.e. the scale before revision). The pay of subordinates who have been allowed higher starting pays should be fixed in the prescribed scale under clause(c) of rule 8(i) of the B.C.S. (Revision of Pay) Rules 1948, on the basis of length of service and the difference between the pay so fixed and the present pay plus interim relief should be treated as personal pay to be absorbed in future increments."

5. F.D. may see u/o. for concurrence.

Id.
7-7-48.

Id.
7-7-48.

Secy. (I). Will this not cause heart burning amongst the permanent men as they will be drawing less pay than those who were recruited on higher pays.

Id.
7-7-47.

Resubmitted.

2. The higher starting pay is given to temporary Subdts. when they are brought on present estbt, their cases will undergo individual examination as Government has already directed that none of the persons who have been given higher starting pays should be brought on permanent estbt. without the approval of Govt. Further these temporary subdts. pays will be subject to 16 % cut when brought on permanent estbt. The permanent persons need not have a justifiable grivance at present in the matter.

Id.
8-7-48.

Temporary men who are given higher pays are not to be made permanent without Government approval. While giving this their pays will be suitably reduced.

Id. 10-7-48. Id. 8-7-.

U. O.- F.D.

6919/36.
29939.

Initial pay for a Matriculate clerk.

The S.E., D.I.C., has raised a qestion as to whether the initial pay of a Matriculate clerks santioned at Rs. 55 as per Government Circular, Financial Department., No. 6567/33-III, dated the 15-1-1948, may have effect from the 1-1-47 for calculation of pay under fule 8(1) (c) of the B.C.S.,(Revision of Pay) Rules 1948. The orders issued in G.R., F.D. No. 6567/33-I , dated the 15-1-48, It seems , therefore, that the proposal made by the S.E., D.I.C., may be accepted in consultation with the F.D.

Id. 1.7.48. Id. 28-6-48.

Secy (1) Id. 7-7-

6919/36.
29934.

Whether temporary service rendered by the clerk prior to his permanency in the corresponding scale can be taken for purposes of " Completed years of Service " as mentioned in rule 8(1) (c) of the Bombay Civil Services (Revision of Pay) Rules 1948.

Rule 8(1) (c) of the Bombay Civil Services (Revision of Pay) Rules 1948, reads as under:-

" The pay that would have been admissible , had the completed years of service in the corresponding scale been rendered in the prescribed scale, or if he is not a holder of a non-permanent post, the pay in the prescribed scale at the stage next above the present pay, which ever is greater".

The S.E.D.I.C.....

The S.E., D.I.C., has quoted a concrete example and has shown that a clerk having put in 13 years of service as a clerk will be a loser if his tempy. services in that scale is not taken into account and the clerk is not allowed the starting pay of Rs. 55 in the prescribed scale from the 1-1-47 , th e date from ~~which~~ which the revised scales take effect.

2. As reg[d] giving to the orders relating to the revision of pay scales, it has been proposed in the notes at p. ante. that the date may be taken as 1-1-47 and a matriculates clerk may be allowed Rs. 55 as starting pay for that date.

3. The recommendations made by the S.E., D.I.C., in para 1 of his letter No. 1292, dated 17-2-48, may be accepted in u.o. consultation with the F.D.

Id.
1-7-48.

Id.
28-6-48.

Secy (1) Id. 7.7.48.

45

Refixation of starting pay of Engineering graduates in the S.S.E.

In para . 2 of G.R. No. ~~2127~~ 6717/36(1), dated the 10-6-46 the following orders were issued with regard to the fixation of the pay of an Engineering Graduates for the period of the pro bation the pay should be Rs. 120/- in the scale of Rs. 70-5-110 -E.B.-10-180-E.B.-10-250. This pay of Rs. 120 should be ra ised to Rs. 130 on completion of two year's service (one year of probation and one year after confirmation)and should then be regulated in the above scale. The subordinates who were already confirmed in S.S.D. did not derive any benefit from the orders.

2. The pay scale of the S.S.E. has now been raised to Rs. 80-5-100-8-140-E. B.10-220-E. B-10-270. Rs. 120 is not a stage in the above scale . The point for consideration is to refix the higher starting pay.

The S.S.E. Association had sometime back represented that this wide difference in the starting pay of a D.C.E. overseer and a B.E. Overseer should be reduced as this affects their pay and prospects mainly because seniority in the S.S.E. is dete-

is determined by pay and not by length of serive. The request of the Association was negatived and the difference was maintained. The local officers have made two alternative suggestions viz

(1) to fix the pay at Rs. 124; or

(2) to fix the pay at Rs. 132.

The original differnece measured in length of years was 8 years. If this difference is maintained, the pay of Engrg. Graduate will have to be fixed at Rs. 132 in the revised scale of the ~~S.S.E.~~ S.S.E.

3. It is, however, respectfully brought to notice that the wide difference of 8 years has been a matter of great dis-satisfaction amongst the D.C.E. members of the S.S.E. Their main ground of grievance is that they have put in at least three years after their matriculation, whereas a B.E. has put in 3 years after I.Sc.

Thus the difference in ~~xx~~ academic years is only 2 years and against these ~~xxxxxx~~ weightage of 9 years is given to B.Es. in the S.S.E. The D.C.Es. will start at Rs. 80 in the S.S.E. scale.

4. Orders are requested at which stage the pay of an Engrg. graduate may be fixed in the S.S.E. viz. whether at Rs. 124 or at Rs. 132 or yet at a lower stage. The P.& S.D. and the F.D. may see these papers u.o.

Id. 28-6-48.

The difference of 8 years may be maintained of pay fixed as under:-

Old Scale		New Scale.	
D.C.E.	B.E.	D.C.E.	B.E.
Ist Year. 70	120	80	140
2nd Year, 75	120	85	140
3rd Year. ~~xxx~~ 80	130	90	150
This difference is equal to 8 years in the scale. 70-5-110-10-250.		This difference is also equal to 8 years in the scale. 80-5-100-8-140-10-270.	

The BE. overseer should be given Rs. 140 in the first two years (one on Probation and the 2nd on confirmation) and his pay should be 150 in the 3rd year.

Id. 1-7-. Secy.(1) Id. 7-7-48.

6919/36.
29939.

Starting pays to Matriculates' clerks and Sectional Karkuns.

In para . 3 of his letter No. G.R. 69 , dated the 20th February 1948, the S.E., S.C., has expressed a view that the orders regarding grant of 2 higher starting pays issued in the marginally noted orders will be inoperative.

* G.R. No. 6717/36(1), dated the 17-7-44.
Govt. Letter No. 6717/36 dated the 27-4-45.

These orders lay down a limit of a starting pay for Matriculate clerk at Rs. 50 p.m. and for a sectional karkun at Rs. 40 p.m. in the prescribed scales.

2. In the revision of 1948 , the initial pay for a Matriculate clerk is fixed at Rs. 55 and that for a sectional karkun at Rs. 46. In view of this, the view expressed by the S.E. is correct. He may be informed accordingly. Copies of the orders will also be endorsed to other local officers for information and guidance .

Id.
28-6-48

6919/36
29939.

Applications of the orders issued in the B.C.S. (Revision of Pay) Rules 1948, to members of work-charged estabt...

Please see para. 2 of the office, note, dated the 22-4-48, recorded in file No. 6919/3 6/17391 p w in which it has been explained that the pays of work-charged estabt. in this Department are generally regulated in the scales sanctioned for the corresponding permanent and t empy. estabts. Revised pay scales recently sanctioned for t he latte r establishment will therefore, automatically apply to he corrresponding work-charged establishment.

In respect of cases where there are no scales in the corresponding permanent and temporary establishment orders have already been issued in Government Letter No. 6919/36-E (II), dated the 12-6-48.

2. The local officers will be informed in terms of the above note.

Id.
28-6-48.

As in para 2 above .

Id.
1-7-.

Secy(I) Id. 7-7-48.

6919/36
31.8.48.

Whether service as Divisional Head clerks and S.Es' First Clerks may be grouped together for purposes of calculating "completed years of service" mentioned in rule 8(1) (c) of the B.C.S. (Revision of pay) Rules 1948.

The pre-revised and the revised scales of Divisional Head clerks and S.Es' First clerks are as shown as below:-

Catetory.	Pre-revised scale.	Revised scale 1948.
	Rs.	Rs.
S.E's first clerk	135-5-180	160-10-200
Divnl. Head Clerks	115-5-160	140-10-190

As the two scales , viz , for the "First clerk" and "Divnl Head clerk" are different , they cannot, as they stand, be taken together as corresponding scale for purposes of rule 8(1) (c) of the B.C.S.R. (Revision of Pay) Rules, 1948, The S.E., D.I.C., has in his letter No. D. 50, dated the 29-2-48, fully explained how a "First Clerk" is put to a loss if he is not allowed to count his service in the Head Clerks grade towards "Completed years of service",

The posts of First clerks and Head clerks are in the same promotion group. There is, therefore, musch force in the S.E.'s argument. The proposal may accordingly be accepted in U.O. consultation with the F.D. It may be added that there are only 7 First clerks for the 7 Circles, the P.W.D. The question will, therefore be confined to only 7 cases at the moment.

Id. 28-6-48. Id. 1-7-

Secy. (I) Id. 7-7-48.

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6919/36/ 31145
34698.

P.W.Deptt.

E.B.(II).

These papers deal with doubtful points raised by the local officers arising out of the sanctioned saales of pay as announced in B.C.S. (Revision pf pay) Rules ,1948, vide G.R., E.D., No. 6567/33-I, dated the 15th Jany. 1948. The points raised by the Local officers are dealt with an a the accompanying notes.

2. The local officers have also raised a general question re: continuing the concessions of grant of initial starting pays in sanctioned scales. This point has been dealt with in detail in file No. 9564/36. In reply to a query on an identiaal question from the El. Commr, with the Government of Bombay, he was informed that pending the examination of the general question regarding grant of higher starting pays, the existing orders should continue. The letter has been endorsed to all the other local officers under this Deptt. This will cover similar queries raised by some of the local officers in these papers.

3 .In para.5 of his letter No. G.R , 69, dated the 20-2-48 the S.E., S.C., has requested orders of Government on the point whether the pays of the subordinates who were brought on the permanent establishment and were already refixed previously,in accordance with the orders then current, should again be refixed inthe revised scale of Rs. 46-3-85-E-B-4-105 (or similar revised scales) after adopting the principles laid down in G.L , P.W.D., No. 2648 /36 -E (II), dated the 3-10-37.

yes

The method of refixing the pays in respect of the revised scales under the B.C.S.(Revision of pay) Rules 1948, has been explained in rule 8 thereof .The S.E. may , if approved, be informed accordingly.

4. The S.E.,S.C.,..

4. The S.E., S.C:, has also raised the question of recogery of excess payments after the fixing the revised scales and the authority to the S.Es. to waive the recoveries in deserving vases. As explained in para. 3 above the revised pays are to be refixed in accordance with rule 8 of the revision ofpay rules. The note below that rule lays down that when pay as fix ed under the newxxxxxxxx rules is less than the Govt. servants presents pay and the monthly interim relief the difference s should be treated as personal pay to be absorbed in future incr ements. In view of this the question of recovery of the excess amount will not arise. The S.E. will be informed in terms of th e above.

Id.
30-6-48.

I agree.

Id.
1-7-48.

Id.
7-7-48.

U.O. to F.D. dated the 13-7-48.

Finance Department. (X)

Please see P.W.D. notes at p. 39-54 ante

The proposals relate to certain doubtful points raised by local P.W.D. officers arising out of the recent post-war revised scales. The following remarks are offered on the various points:-

2. P.W.D. note dated 10.7.48 (P. -39-40(a) ante)-

The B.C.S.(R. of P), Rules 1948, are to be strictly observed while fixing the initial pays in the prescribed scale. The ' present pay' of a Government servant is clearly defined in Rule 2(i) of the R. of P. Rules. It is the basic pay actually drawn on 1.1.47 (or the date of refixation of pay in the prescribed scale) in the unrevised scale. It naturally follows that the higher starting pays will be automatically included in the ' present pay'. However higher starting pay or its equivalent stage in the prescribed scale canot be taken into account in the calculating the pay that would have been admissible had the completed years of service in the corresponding scale been rendered in the prescribed scale.

3. P.W.D. office note dated 28-6-48.(page 41 ante).-

The higher starting pays sanctioned in G.C.M. No. 6567/33-III, dated the 15-1-48, are deemed to be effective from 1.1.47 and not from the 15.1.48 . Attention in this connection is invited to General Letter No. 57 dated 29-3-48, issued by the A.G., Bombay, and published at P. 1428 of the B.G.G. dated 1-4-48.

4. P.W.D. note dated7.7.48 (p. 43 ante)-

The temporary service in the clerical scale has to be taken into accoun while calculating the completed years of service, provided it is rendered in the cadre or class within the cadre concerned, vide Rule 2(b) of the R. of P. Rules. As regards the higher starting pay, please refer to para .3 above.

5. P.W.D. note.....

5. P.W.D. note dated 7.7.48(p.45-46 ante)-

Engineering graduate overseers were given a starting pay of Rs. 120 after one years probation on Rs. 70 in the unrevised scale of Rs. 70-5-110-E.B.-10-180-E.B.-10-250 vide G.R., P.W.D. No. 6717/36, dated 17.7.44 The starting pay was modified temporarily for 2 years to Rs. 130 on completion of 2 year's service on Rs. 120 (1 year of probation and one year after confirmation) vide para . 2 of G.R., P.W.D. No. 6717/36(1), dated 16.10.46 . The question of the temporary higher starting pays of Rs. 130 and Rs. 120 is separately under consideration in P.W.D. file No. 9564/36. It is however necessary to fix the higher starting pay on a permanent basis corresponding to the starting pay of Rs. 120 in the unrevised scale. This Departmen t may suggest that the permanent starting pay may be fixed at Rs. 132 in the prescribed scale of Rs. 80-5-100-8-140-E.B.-10-220-E.B.-10-270. Rs. 132 is the nearest, point to an increase of Rs. 50 over the minimum which is the increase given in the unrevised scale. The P.W.D. may be requested u.o. to issue the necessary orders in the matter after the question of the temporary starting pay of Rs. 130 in the unrevised scale is decided.

6. P.W.D. note dated 7.7.48 (p. 47 ante)-

The view taken by that department in para. 2 is correct except for the fact that it is still permissible to give non qualified clerks Rs. 50 p.m. under the orders of 17.7.44 instead of Rs. 46 p.m.

7. P.W.D. note dated 7.7.48 (p. 49 ante).

No remarks.

8. P.W.D. note dated 7.7.48 (P. 51 ante)- That deptt. may issue orders to the effect that in relaxation of the Rx. of P Rules, 1948 the service rendered in the two scales of 115-5-160 and 135-5-180 i.e. Divl. Head Clerks and First Clerk's scale (or the corresponding scales) should be taken into account while computing the " completed years of services" in any of the two scales.

9. P.W.D. note dated 7-7- 1948(pages 53-54 ante.).-

The view expressed at portions* 'A' and 'B' is correct.

Id. 11-10-48.

U.O.R. to P.W.D. dated 11-10-48.

ER (iii) 13/10

35

6919/36
56327.

E.B. (II) P. W. D.

These papers deal with the clarification of doubtful points raised by local officers in con. with the operatie on of B.O.S. (Revision of Pay.) Rules, 1948. The notes at pages 39 at seq, need only be read.

2. The F.D. has agreed to all the points except with ref to the starting pay of graduate overseers securing guaranteed posts in the S.S.E. This Department proposed that a B.E. Overseer should be given pay of Rs. 140/- p.m. in t the first two years (one on probation and the second on confirmation) and his pay should fixed at Rs. 150/-p.m. in the S.S.E. scale on confirmation. The F.D. has advised that the pay should be fixed at Rs. 132/- in the prescribed scale. It is presumed that this pay of Rs. 132/- is to be for the first two years and on confirmation the graduates overseers will be eligible for Rs. 140/ - in the S.SEE. scale. That Department has also suggested to issue the necessary orders in the matter after the question of tmmpy. starting pay of Rs. 130/- in the unrevised scale is decided. It may at the outset be explaindd that the two questions are not dependent on one another and it is not therefore necessary to await the decision on the question of higher starting pay to temporary graduates, while fixing the pay of pert. graduates in the S.S.E.

B

Orders are requested whether the F.D's view to fix the pay of a pert. graduate overseer at Rs. 132/- in the S.S.E. scale may be accepted.

A

3. The draft reso. may be shown u.o. to the F.D. before issue. Id. 4-11-48.

A:- May be accepted.

B:- I agree and there seems no reason to hold up the orders relating to ~~personal~~ Permanent graduate overseers.
Id. 5-1-48.
Secy. (I). Id. 8-4-48.

P.T.O.

36

Finance Department (XBr).

F.D. may agree to the draft orders being issued subject to the following remarks.

2. Attention is invited ~~to~~ to para. 3 of this Department, note dated 3-11-48 on P.W.D. papers, No. 9564/36-E-II , wherein we have agreed to the grant of Rs. 132 for the ~~post~~ first two years and of Rs. 140 after confirmation , ~~xxxx~~ for a further period of one year only. The higher starting pay agreed to on a permanent basis is Rs. 132 (after one years probation on Rs. 80) as against the present Rs. 120/-(after one Years probation on Rs. 70) ~~note~~ vide para 2 1 of the G.R., ~~x~~ P.W.D., No. 6717/36, dated 17-7-~~44~~ . The P.W.D. may be requested to amend para 5 of the draft orders accordingly.

Id.
15-11-48.

Id. 15-11-48.

U.O.R. to P.W.D., dated 15-11-48

E.B. (II). P.W.D.

The F.D. has asked for these papers in ~~correction~~ connection with file No. 6919/36/65166. They may accordingly be sent to that Department.

2. The view expressed in para 2 of the F.D. note above ~~xxxxxxx~~ has been separately accepted.

3. The F.D. may be ~~regulated~~ requested to return ~~their~~ these papers as ~~xx~~ early as possible.

Id.
29-11-48.

Id.
29-11-48.

U.O. to F.D. dated 2-12-1948.

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Financial Department(XBr)

Please see the o.n. of to-day's date on the linked case. These papers may be returned u.o. to the P.W.D.

Id.
31-12-48.

Id.
31-12-48.

Id.
31-12-48.

U.O.R. to P.W.D., dated 3-1-48.

E II 4/1

For disposal please see Sr. No. 3379 post.

& Id.
20-1-49.

No. DAIX- Revision of Pay/375. Office of the Accountant General,
Bombay, the 23rd June 1948.

To

The Superintending Engineer, Deccan Irrigation Circle, Poona.

Subject:- Fixation of pay in the prescribed scale of pre-1931 entrants according to Rule 8 (2) of the Revision of Pay Rules 1948.

Sir,

I have the honour to forward herewith the endorsements No. 3342 dated 12th June 1948 received from the Executive Engr. POONA Irrigation & Research Division, POONA forwarding details of fixation of pay of Mr. H. Gurunao Overseer (pre-1931 entrant) with his service book. The following points require investigation.

(i) In form II, the No. of completed years shown as 23 years. Mr. Gururao entered service in June 1923. He served on the work charged Estt. from 1922-1931 and on subsequent occasions also. In this connection a reference is invited to this office Endt. No.212 dated 25-5-48 , in which this office has expressed the opinion that Government orders will be necessary as to the No. of completed years to be adopted for fixation of pay in cases of men who have worked (1) on the temporary Estt. (2) on work-charged Estt. and (3) on temporary and also work charged Estt., before they were brought on the permanent estt with reduction in their pay of pereenloge basis. The present case will have to be dealt with according to Government orders that will be issued. Please state what action has been taken by your office in this respect.

(2) From page 59 of the schedule of the Revision of pay Rules 1948 the post 1931 Scales for Overseers is shown in as below:-

(i) 54-4-90-E. B.-4-130-E.B.5-150-175.
(ii) 70-5-110-E.B.-10-180-E.B.-10-250..

The Executive Engineer Poona Irrigation & Research Dn has shown 70-5-110-EB.-10-180-E.B.-10-250 as the corresponding scale. Please state in which cases (1) 54-4-90-E.B -4-130-E.B.-5-150-175 is to be taken as the corresponding scale and in which cases (ii) 70-5-110-E.B.-10-180-E.B.-10-250-275 is to be taken as the corresponding scale. If there are Government, orders on this point, copies thereof may kindly be supplied.

According to Rule 8(2) the pay of the pre-1931 entrant is first to be arrived at in the corresponding scale as on 1-1-47 and then taking that pay as the present pay the further calculations in Form I_i are to be worked. Taking (1) as the corresponding scale; the paywhich will be arrived at on 1-1-47 even with 23 years completed service will not exceed Rs. 150/- and with the calculations accordingto form II_m it will not even come to Rs. 210/- which Mr. Rao is getting since 28-9-46 ,. In view of this fact Govt. haye issued further instructions in Government F.D. circular No. 6567/33 dated 29-5-48 regarding pre-1931 entrants. Please there state which is the corresponding scale in such cases and a ask the the Executive Engineer to refix the pay in the present case accordingly. Please also issue instructions accordingly to the Divisional Officers under you, under intimation to this office as Rule 8(2) has not been correctly understood.

2. With view to minimise incovenience to the pre-1931 Govt. servants and in view of the points (1) & (2) in para 1 above which will have to be settled you may consider the desirability of issuing instructions to the Divisional Officers for fixing thepay of such men in the first instance, in accordance with the orders issued in Government Finance Department, circular letter No. 6567/33 dated 29-5-48 , pending final settlement of the poits raised . The instructions issued in this

this matter may please be intimated to this office.

3. A very early compliance is requested Please acknowledge receipt of the service book of Mr. Rao.

Your obedient servant,
Sd/-
For Assistant Accounts Officer.

No. DAIX- Revision of Pay 71 23 June 1948.

379 The Superintending Engineer, Central Circle.

with a request to state with reference to this office No. DAIX - Revision of Pay/238 dated 22-5-48 what action is taken by your office in respect of point 1 of para 1 of the letter addressed to Superintending Engineer, Deccan Irrigation Circle above (ii) and to offer remarks as to the procedure followed in his circle as regards (2) of para 1 referred to above and forward a copy of instructions that will be issued in this respect-

2. Action may also be taken on the lines suggested in para 2 of the letter addressed to the S.E.,D.I.C. A copy of the instructions issued may please be forwarded to this office.

Sd/-
for Assistant Accounts Officer,
Id.
29-6-.

True copy,

Id.
Head Clerk.
to Superintending Engr., C.C.

Express letter.

No. D.A. IX Revision of Pay/602,
Office of the Accountant General
Bombay, the August 1948.

To

The Superintending Engineer,
Deccan Irrigation Circle, Poona.

Subject:- Fixation of pay in the prescribed scale of pre 9131 entrants according to Rule 8(2) of the Revision of Pay rules 1948,

In continuation of this office letter No. D.A. IX Revision of Pay /375 dated 23-6-48, I have the honour to forward herewith a copy of this office letter No. D.A. IX Revision of Pay rules /~~858~~ 585 of 3-8-48 addressed to the Government in the Finance Department from which it will be seen that the Government orders that will be issued will settle the point (2) raised in this office letter dated 23-6-48.

2. As regards point (1) please furnish to this office a copy of the reference made to Govt. by your office.

Sd/- x x
For Assistant Accounts Officer.

No. D.A. IX Revision of Pay Rules/606
Dated the 5th August 1948.

Copy with a copy of this office letter dated 3-8-48 addressed to Government forwarded to the Superintending Engineer, C.C. Poona, in continuation of this office, endt. No. D.A. IX- Revision of Pay/379 dated 23-6-48. The action taken as regards point (1) of this office letter dated 23-6-48 may please be stated. For the information of this office a copy of the reference made to Government may also be furnished.

Sd/-

For Assistant Accounts Officer.

" True Copies".

Id.
Head Clerk.
to Superintending Engineer,
Central Circle.

75 41

Copy of this office letter No. D.A. IX Revision Pay Rules/ 595 dated 3-8-48 addressed to the Government in the finance Dapartment , Bombay.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948.

I have the honour to invited a reference to the rules cited above and to refer the following case for orders of Govt.

An overseer in the P.W.D. who was an old entrant drawin g pay in the pre 1931 scale of Rs. 60-5-100-10-250 (EB at Rs 100 and Rs. 170½ elected with effected form the 1-7-44 the post 1931 scale of Rs. 70-5-110-E.B. 10-180 E.B. -10-250 (selection grade 275) which was sanctioned in G.R. P.W.D. No. 6717/36 dated 17-7-44. This G.R. also sanctioned with effect from 1-7-44 the substitution of the abve for the scale of Rs. 54-4-90 E.B. 4-130 E.B. 5-150 (selection grade 175) previxously sanctioned for new entrants- The point at issue in fixing the pay of the overseer in the prescribed scale on 1-1-47 under rule 8(2) of the fules cited above, i is (1) whether his services should be taken in the pre July 1944 scale (54-4-90 E.B. 4-130-5-150) up to 30-6-44 and in the July 1944 scale (70-5-110 E.B. 10-180 -E.B. 10-250) there after, or (x ii) whether the entire ser vice should be taken in July 1944 scale. The pay that will be be admissible to the overseer on 1-1-47 under the B.C.S. (Revision of Pay) Rules 1948 by the application of the x two methods is given below:-

Method I.

Pay for 22 completed years service in the grade of

(a) 54-4-90-4-130-5-150 up to 30-6-44 and

(b) 70-5-110 E.B. 10-180-E.B. 10-250 comes to Rs. 150 on 1-1-47.

His pay in the prescribed xxx scale of 80-5-110-8-10-180-10- 270 on 1-1-47 will therefore be a s under:-

Rule 8(1).....

Rule 8(1) (a) 160 plus 30 plus 60 - 250

(b) 150 plus 20 plus - - 180

next stage.

(c) 22 completed years of

service in prescribed scale 270

Under this method his pay in the prescribed scale will be Rs. 180/- being the lower but according to clause 2(1) of the Government , F.D. Circular Memo. No. 6567/33 dated 29-5-48 he will be entitiled to have his pay fixed at Rs. 250 /- viz. one stage above the next higher stage above his pre sent pay which is Rs. 230/- on 1-1-47 in the July 1944 scale.

76

Method- II.

If the entire service is taken in the scale of Rs. 70-5-110 E.B. 10-180 -E.B. 10-250 , his pay in the above sca ale on 1-1-47 will be Rs. 250/- and his pay in the prescribe d scale will be Rs. 270/- as shown below:-

Rule 8(1) (a)	260 plus additional increments for 22 years.	270 maximum.
"	(b) 250 plus 20 plus next stage	270 "
"	(c) 22 completed years of service in the prescribed scale.	270 "

The Difference in the pay to be fixed arised on accoount of the method to be adopted in calculating this constructive pay in the revised scale, i.e., whether scale of pay in force on the date of replacement by the prescribed scale should alone be taken in to account or whether all the scales attached to the post should be taken into account. Orders of Govt. are requested in the matter.

Similar case in the Central side has not yet been referred to and decided by the Government of India.

True Copy
Shri Sd/-
Head Clerk.
To Superintending Engineer.
Central Circle.

No. G.R. 69-6942 of 1948.
Public "orks Department,
Poona , 1, 7th October 1948

To

The Secretary to Government,

Public "orks Department,

BOMBAY.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948

Reference:- Government Resolution, F.D. No. 6567/33-1 dated 15-1-48.

The following doubtful points in connection with the application of the above mentioned Rules are brought to the notice of Government for orders as desired by the Accoutant General, Bombay.

(1). " Government Service " means service under the Govt. of Bombay and comprises prior service under Local Funds administered by the Government of Bombay. From this definition of Government service, " Approved War Service" has been omitted, though previously ordered by Government to be included in Service. It is presumed that this servide should also be included in the above derinition otherwise it will creae discontent and hard ship.

(2) "Completed years of Service ". Many persons(1) who were working work charged and temporary establishment, have been ordinarily taken of Permanent Establishment and (2) many similar persons have likewise been taken on Permanent Establishment in accordance with the orders issued in Govt. Resolution Nos. 3260/36 dated 19-11-43 , 3486/36-dated 19-11-43 and 3486/36-X of 28-7-47.

In the case of persons taken on Permanent Establishment in accordance with the special orders mentioned above, Government have allowed counting of 1/2 and 3/4 of their previous service on work charged and temporary services respectively for purposes of pension. Govt. orders may please be issued whether and how much service rendered on work charged and temporary establishment prior to the date of

promotion to Permanent Establishment should be condidered as completed years of service in the same scale for otherwise for the purpose of fixation of pay.

(3) (a) "Fixation of Pay" of Bombay Service of Engineers In this connection, copies of endorsements Nos. D.A.IX -397 dated 23-6-48 and D.A. IX- 606 dated 5-8-48 with accompaniments are submitted for information and issuem of specific orders in the matter.

(b) Government have issued orders to continue higher starting pays to technical subordinates on temporary and work charged Establishment vide Government Letter No. 9564/36-E (II) dated 30 the June 1948. In view of this, it is a questio n for consideration whether pays of such persons shoul d be fixed in the corresponding prescribed scale.

4. House Rent allowance:- In para. 4(a) (1) of Govt. Resolution , F.D. No. 6567/33-IV, it is stated that the house rent allowance. s will not be admissible to those Govt. servants who occupy accommodation provided by Govt. It is presumed this refers to rent free occupation of a coommodation provided by Govt. and the allowsnce is admissible to Govt. servants who occupy Govt. accommodation and pay rent therefor. The Accountant General has desired that specific orders of Govt. should be obtained in the matter. Subject to the conditions mentioned in clause 4(b) of the Govt. Resolution, House rent allowance should be given to Govt. servants occupying Govt. quarters and paying rent therefor. Government orders regarding grant of house rent allowance to persons on work charged establishment may also be issued as this is not specifically mentioned in any Govt. orders.

Id/-

Superintending Engineer,

Central Circle.

P. T. O.

Copy forwarded to:-

(1) The Accountant General, Bombay.

(2) The Superintending Engineer, Bombay Circle, Bombay.

For information with reference to correspondence ending with his endt. No. D.A. IX - Revision of Psy Rules 606 dated 5-8-48.

his letter No. G. 105/9537 dated 30-9-48.

Copies forwarded to the Executive Engineers, Poona West, Poona East, Nasik, East Khandesh and West Khandesh Divisions, for information.

2. In the case of overseers who have not yet passed their professional examination, their present actual pay admissible on 1-1-47 should be taken into account and not the one which would have been admissible, had the overseer passed the examination. - - - - - 80

For disposal please see Sr. No. 56241

Id. 4-11-

81

Copy of A.G. Bombay letter No. DAIX Revision of Pay Rules /585 dated 3-8-48 to the Secretary to the Government of Bombay, Finance Department.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948.

I have the honour to invite a reference to the rules cited above and to refer the following case for orders of Government:-

An overseer in the P.W.D. who was an old entrant drawing pay in the pre 1931 scale of Rs. 60-5-100-10-250 (E.B) at Rs. 100 plus Rs. 170) elected with effect from 1-7-1944 the post 1931 scale of Rs. 70-5-110 E.B.-10-180. E.B. 10-250 (selection gr. Rs. 275) which was sanctioned in G.R., P.W.D. No. 6717/36 dated 17-7-1944. The G.R. also sanctioned with effect from 1.7.44 the substitution of the above scale for the scale of Rs. 54-4-90 .E.B. 4-130-E.B. 5-150(Selection Grade 175) previously sanctioned for old new entrants.

The point at issue in fixing the pay of the overseer in the pre scribed scale on 1.1.47 under rule 3(2) of the rules cited abov e, is (i) whether his service should be taken in the pre July 1944 scale (54-4-90.E.B.-4-130-5 -150) upto 30-6-1944 and and in the July 1944 scale (-70-5-110.E.B. 10-180 E.B. 10-250) thereafter or (ii) whether the entire service should be taken i in July 1944 scale. The pay that will be admissible to the overseer on 1-1-1947 under the B.C.S. (Revision of Pay) Rules 1948 by the application of the two methods is given below:-

Method. I.

Pay for 22 completed years service in the grade of

(a) 54-4-90-130-5-150 upto 30-6-44 and

(b) 70-5-110-E.B. 10-180-E.B.-10-180 E.B. 10-250.

comes to Rs. 150 on 1.1.47.

His pay in the prescribed scale of 80-5-100-8-140-10-180-10-270 on 1.1.47 will therefore be as under:-

Rule 8(1) (a) 160 plus 80 plus 60 = 250

" (b) 150 " 20 and next stage 180

(c) 22 completed years of service in prescribed scale. 270

Under this method his pay in the prescribed scale will be Rs. 180 being the low but according to clause 2(i) of the Govt. F.D. circular Memorandum No. 6567/33 dated 29-5-1948, he will be entitled to have his pay fixed at Rs. 250/- viz. one stage above the next higher stage above his present pay which is Rs. 230/-on 1.1.47 in the July 1944 scale.

Method II.

If the entire service is taken in the s cale of Rs. 70-5-110 E.B. 10. 180 E. B. 10-250 his pay in the abve scale on 1.1.1947 will be Rs. 250/- and his pay the prescribed scale will be Rs. 270 as shown below:-

Rule 8 (1) (a) 260 plus additional increments for 22 years 270 Maximum

(b) 250 20 plus next stage 270 "

(c) 22 completed years of service in prescribed scale. 270 "

The difference in the pay to be fixed arises on account of the method to be adopted in calculating his constructive pay in the Revised scale i.e., whether the scale of pay in force on the date of replacement by the prescribed scale shoul d alone be taken into account or whether all the scales attached to the post should be taken into account. Orders of Government are requested in the matter.

Similar case in the Central side has not yet been refered to and decided by the Government of India.

Copy of memo. No. 6567/33/32600 -X dated 28th September 1948 form the Government of Bombay, Finance Department (Ind. DAIX) 410) to F.D. A.G. Bombay.

Subject:- Bombay Civil Services (Revision of Pay Rules 1948).

The undersigned presents compliments to the Accountant General, Bombay, and , with reference to his letter No. DAIX Revision of Pay Rules Ø585 dated 3rd August 1948, is directed to state that Method I suggested therein should be followed in calculating the "present pay" of a Pre-1931 entrant in the post 1931 scale or scales for purposes of Rule 8(2). In the particular case of the overseer mentioned in the letter, however , the Method is not applicable, as he is not a pre-1931 entrant within the meaning of rule 2(h) of the Bombay civil Services (Revision of Pay) Rules, 1948 . The overseer was actually drawing pay in the post 1931 scale of Rs. 70-250 on 1st January 1947, hence he is a post 1931 entrant and his pay should be regulated under rule 8(i)

Sd/-

Financial Adviser to Government.

Below Government of Bombay Finance Department Memo. No. 6567/33/32600-X dated 28-9-48 from the Govt. of Bombay Finance Department (DA-IX-410)-

DA-IX - Revision of pay scales 1948.

No. 940. Office of the Accountant General. Bombay, the 11th October 1948.

Copy forwarded to the Superintending Engineer, C.C. Poona for information.

2. The point at (b) of his letter No- G.R. 69/3288 dated 14th May 1948 is an important one and requires to be settled immediately viz: in the case of work charged and temporary Establishment promoted to permanent posts on reduction of pay on percentage basis and in whose case ½ and ¾ of their previous service has been allowed to count for pension whether the whole work-charged or temporary service prior to date of promotion to permanent Establishment should be considered as " Completed years" of service for purposes of Rule 8(1)-(a) & (c) of the Bombay Civil Services (Revision of Pay) Rules 1948. You were requested in this office letter No. DA-IX- Revision of Pay Rules/238 that the matter may be referred to Government for decision . A no of men falling under this category have since retired after 1-1-47 and their pay under the prescribed scales is required to be fixed for purposes of pension. Please state whether Government have issued orders in this connection. A copy of your reference to Government may please be forwarded to this office.

Id.
Assistant Accounts Officer.

No. DA- IX of Revision of Pay Rules 1948)
941.

Bombay , the 11 October 1948.

Copy forwarded to the Govt. in the P.W.D., Bombay,.The point raised by the Superintending Engr. Central Circle (vide para 2 above) may be decided early as a no of pension cases are still to be settled finally.

Id.
Assistant Accounts Officer.

479

6919/36
56241
55801

E. B. (II) P. W. D.

Submitted (to gether with Sr. No. 55801).

2. Sr.NM 55801. The S.E.C.C. has asked for clarification of certain points in connection with the operation of the B.C.S. (Revision of Pay)Rules 1948. These are discussed below:-

(i) Approved War Service. The S.E. wants to know whether " Approved War Service " should be included in the ter m " Government Service". The S.E's presumption is correct.

(ii) Completed years of service.

Some subdtes in the P.W.D. have to their credit "Work-Charged" Service and temporary service" prior to their permancy in the P.W.D. The S.E. wants to know whether the work-charged and temporary service rendered by a subdte prior to his confirmation in the Deptt. should be considered as completed years of service in the same scale or otherwise for purposes of fixation of pay.

As reg. tempy. servi-ce the question has already been considered before & the orders proposed to be issued in para 4 of the draft G.R. on the linked case(file No. 6919/36 56327 will be applicable to service rendered on tempy. estbt.

In the respect of sergice on the work-charged estbt it is proposed to issue orders on linkdd case to the effect that the BC.S. (Revision of Pay) Rules 1948. are applicable to members of book -charged estbt. for whom corresponding scales exist either on the tempy. or permanent estbt. and in respect of members of book-charged Estbt for whom there are no corresponding scales for the permanent or temporary , estbt. the orders issued in G.L., P.W.D. No. 6919/36-E(II) dated the 12-6-48. Following the same principle it appears that service rendered on book-charged estbt. where corresponding scales existed should be included in completed years of service. In case

cases where no scales did exist only 1/2 of the service re ndered on book-charged estbt should be allowed to be included in the " completed years of service".

(iii) Higher starting pays:-

The S.E. wants to know whether higher starting pays should be included in fixing pays in the corresponding prescribed scale. Orders on this point are proposed to be issued asper para 2 of the draft G.R. on the linked case (6919/36/ 56327).

(iv) House rent allowance.

The point raised by the S.E. in para 1(4) of his letter No. G.R. 69/6942, dated the 13-10-48 is a general one & th e F.D. may be requested to give a ruling there on.

3. In para 1 (3) (a) of his letter No. G.R. 69/6942 , dated the 13-10-48, the S.E.C.C. has reft. to letter No.DA IX-379 dated the 23-6-48 and from the A.G. Bombay in connection with the fixation of pay of B.S.E. copy of the A.G's letter refd. to has not been rece. & the S.E. may be requested to forward the same.

4. Sr. No. 56241.

Copies of the communications at pp. ante may be endorsed to all local officers (except the S.E., C.C.) for information and guidance.

5. The point raised by the A.G' his endt. No. DAIX/941 dated the 11-10-48 will be decided on receipt of final orders on para 2(ii) above.

6. The draft put up may issued & the papers may then be refd. u.o. to the F.D. with the linked case (file No. 6919/36 / 56327).

Id. 4.11.48. Id. 5.11.48.

Id. 8.11.48.

With file No. 6919/36 56327.

U.O. to F.D. dated 13-11-48.

Finance Dptt.(XBr)

The file No. 6919/36-56327 which was separately rece ved was returned to P.W.D. on 16-11-48.The P.W.D. may be requested to forward it with these papers to facilitate disposal of this case.

Id. 19.11.48. Id..20.11.48.

U.O.R. to P.W.D., dated 20-11-48.

No. DAIX-Revision of Pay/375. Office of the Accountant General,
Bombay , the 23rd June 1948.

To

The Superintending Engineer, Deccan Irrigation Circle,
Poona.

Subject:- Fixation of pay in the prescribed scale of pre-1931 entrants according to Rule 8(2) of the Revision of Pay Rules 1948.

Sir,

I have the honour to forward herewith the endorsements No. 3342 dated 12th June 1948 received from the Executive Engineer, POONA Irrigation & Research Division , POONA forwarding details of fixation of pay of Mr. H. Gururao Overseer(pre-1931 entrant) with his service book. The following points require investigation.

(i) In form II, the No. of completed years' shown as 23 years. Mr. Gururao entered service in June 1923. He served on the work charged Estt. from 1922/1931 and on subsequent occasions also. In this connection a reference is invited to this office Endt. No. 212 dated 25-5-48, in which this office has expressed the opinion that Government orders will be necessary as to the No. of completed years to be adopted for fixation of pay in cases of men who have worked (1) on the temporary Estt. (2) on work-charged Estt. and (3) on temporary and also work charged Estt., before they were brought on the permanent estt. with reduction in their pay of percentage basis. The present case will have to be dealt with according to Government orders that will be issued . Please state what action has been taken by your office in this respect.

(2) From page 59 of the schedule of the Revision of Pay Rules 1948 , the post 1931 Scales for Overseers is shown as below:-

(i) 54-4-90-E.B.-4-130-E.B.-150-175.

(ii) 70-5-110-E.B. -10-180-E.B.-10-250

The Executive Engineer Poona Irrigation & Research Dn., has shown 70-5-110-E.B.-10-180-E.B. 10-250 ~~Exx~~, as the corresponding State scale. Please in which cases (1) 54-4-90-E.B.-4-130-E.B.-5-150-175 is to be taken as the corresponding scale and in which cases (ii) 70-5-110-E.B.-10-180-E.B. -10-250-275 is to be taken as the corresponding scale. If there are Government orders on this point, copies there of may kindly be supplied.

According th Rule 8(2) the pay of the pre-1931 entrant is first to be arrived at in the corresponding scale as on1-1-47 and then ~~t~~taking that pay as the present pay the further calculations in Form II are to be worked. Taking (1) as the corresponding scale, the pay which will be arrived at on 1-1-47 even with 23 years completed service will not exceed Rs. 150/- and with the calculations according to form I, it will ~~xx~~ not evencome to Rs. 210/- which Mr. Rao, is getting since 28-9-46. In view of this fact Government have issued further instfuctions in Government F.D. circular No. 6567-33 dated 29-5-48 regarding pre-1931 entrants. Please there state which is the corresponding scale in such cases and ask the Executive Engr. to refix the pay in the present case accordingly . Please also issue instructions accordingly to the Divisional Officers under you, under intimation to this office as Rule 8(2) has not been ~~xxxx~~ correctly understood.

2. With a view to minimise inconvenience to the pre-1931 Govt. sertants and in view of the points(1) & (2) in para 1 above which will ~~xx~~ have to be settled you may consider~~x~~ the desirability of issuing instructions to the Divisional Officers for fixing the pay of such men in the first instance, in accordance with the orders issued in Government Finance Department, Circular letter No. 6567/33 dated 29-5-48, pending final settlement of the points raised. The instructions issued in this matter may please be intimated to this office.

3. A very early.....

3. A very early compliance is requested . Please ~~xxx~~ acknowledge receipt of the service book of Mr. Rao.

Yours obedient servant,

Sd/-
For Assistant Accounts Officer

- 2 -

No. DAIX- Revision of Pay/ 23rd June 1948.
379 The Superintending Engineer, Central Circle.

With a request to state with reference to this office No. DAIX- Revision of Pay /238 dated 22-5-48 what action is taken by your office in respect of point 1 or para 1 of the latter addressed to Superintending Engineer, Deccan Irrigation Circle, above, (ii) and to offer remarks as to the remarks as to the procedure followed in circle as regards points (2) of para 1 referred to above and to forward a copy of instructions that will be issued in this respect:-

2. Action may also be taken on the lines suggested in para 2 of the ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ of the letter addressed to the S.E., D.I.C. A copy of the instruction issued may pleas e be forwarded to this office.

Sd/- x x x-x
For Assistant Accounts Officer.

True Copy:-

Sd/-
Head Clerk.

To Superintending Engineer,
Central Circle.

54

No. G.R. 69/8005 of 1948.
Public Works Department,
Poona , 1, 18 November 1948.

To

The Secretary to Government,

Public Works Department,

Bombay.

Subject:- Bombay Civil Services '(Revision of Pay) Rules 1948.

Reference:- Government letter No. 6919/36-E(II) dated 9-11-1948.

I enclosed herewith a copy of Accountant General, Bombay 's No. DA.IX-379 dated 23-6-1948 and also a copy of his No. D.A. IX -585 dated 3-8-1948 addressed to Government in the Finance Department, Bombay along with a copy of that Gover. nment orders thereon thxx for the information of Government.

Enc.s:-

As above.

Id.
18-11-
Superintending Engineer,

Central Circle.

39

For disposal please

see Sr. No. 65/66.

Id.
29-11-48.

55

Letter.

No. G. 95(a)/7143 of 1948.
P.W.D . Eastern Circle Office,
Sholapur 20/11 /1948.

To

The Secretary to Government,

Public Works Department,

Bombay.-

Subject:- Bombay Civil Services (Revision of Pay) Rules, 1948, Fixation of pay----.

In fixing the pays of Establishment in the revised scales the following points need eludidation.

1) Whether the period of " Approved War Service " which was allowed to be counted for fixation of pay, before is to be included in "Government Service " as defined in Rule 2(e) of the Revision of Pay Rules, 1948.

2) In the cases of persons who were borne on-

(1) The temporary establishment,

(2) The "ork -charged establishment,

and (3) the temporary and also work-charged establishment.

before they were taken on the permanent establishmet with necessary reduction on their pay on percentage basis, Whether the whole service(temporary and / or work-charged) prior to the date of promotion to permanent establishment, should be included in the " Completed years of Service" in the same scale , or otherwise, for the purposes of fixation of pay in the Prescribed Scales.

3) The post-1931 scales for Overseers, as specified on page 59 of the Bombay Civil Services (Revision of Pay) Rules, 1948, are-

Rs. 54-4-90-E.B.-4-130-E.B.-5-150-175 (Sel. Grade)
Rs. 70-5-110-E.B.-10-180-E.B.-10-250-275 (Selection Grade for 3%).

It is not clear as to what scale should be taken as corresponding scale, while fixing the pay post-1931 overseers of 20 year's service under rule 8(2) of the above Rules- whether their service should be taken in the pre-July 1944 scale (54-4-90-E.B.-4-130-E.B. 5-150) upto 30-6-1944 and in the July -1944 scale (70-5-110-E.B.-10-180-E.B. -10-250) therefore

thereafter or whether the whole service should be taken in July -1944 scale.

2. The Accountant General, Bombay, to whom some of these points were referred to by the Superintending Engineer, Deccan Irrigation Circle, has asked that officer under intimation to this office, to approach Government for clarification . I am, therefore to request you to kindly move Goverment to issue necessary orders on the above points.

Id.

Superintending Engineer,

Eastern Circle.

Copy with compliments to the Accountant General, Bombay with reference to his endorsement Nos. D.A. IX/Revision of Pay of 23-6-1948 and D.A. IX-Revision of Pay Rules/607 of 5-8-1948.

6919/36
65166

E.B. (II) - P. W. D.

Submitted (together with Sr. Nos. 64267 and 65063)

2. Sr. Nos. 64267 & 65063 .

The points raised by the S.E.C.C. and the S.E.E.C. in their letters at pp. ante. have already been noted upon in the office note at pp. 21-24.

3. Sr. No. 65166.

The file rcd. by the F.D. is put up below (file 6919 /63415) . It may be sent to the F.D. along with these papers.

4. The view expressed by the F.D. in para 2 of its note, dated the 16-11-48 in the file 6919/36/63415 has been saparately accepted by this Department para 5 of the draft orders will be modified hereafter.

5. The F.D. may be requested to return these papers with the f.p. as early as possible.

Id. 29-11-48. Id. 29-11-48.

U.O. to F.D. dated 2-12-48.

Finance Department.(X)

Submitted with reference to the office note dated 19-11-48. The following remarks are offered on the points raised in the P.W.Department office note dated 4-11-48.

2. (i) Approved War Service-

The P.W.D. view may be accepted . It is not known however, whether the Government of India have amended Rule 2(e) of the Central R. of P. Rules, so as to include approved war service within the definition of Government service. It does not seem necessary to amend our Rule 2(e).

(ii) Completed years of service-

It is not clear whether the P.W.D. proposes to coun count service on work-charged estt. for purposes of fixing the pay of a Government, servant , who on 1.1.47 was on tempy. or permanent estt. If this is the proposal, it cannot be accepted as only service in the particular post or

cadre or class within the cadre concerned can be taken into a account for purposes of fixation of pay, vide Rule 2(b). Only continuous service rendered in the same class of post (e.g. as overseer or tracer on different works) can be counted in a post of work-charged establishment. If the service rendered is in ~~fix~~ fix different capacities and on ~~diffe~~ different scales on the work-Charged, estt., it cannot be counted even it it is continuous. The question of couting half the service in such cases need not be considered in view of wha t is ~~xxxxx~~ stated above. These remarks are subject to what is stated in para . (iv) below.

(iii) House Rent allowance:- Persons who are provided with quarters at concessional rents not exceeding 10% of their pay are not eligible for the h.r.a. for the reasons stated in this Department notes dated 16.7.48 and 15.9.48 . A copy of these notes has been forwarded to the P.W.D. along with it s u.o.r . No. 9210/36/3764. As regards persons on work-charge d estt., they may be held eligible for the c.l.a . and h.r.a. sanctioned in G.R., No.6567/33-IV , dated 15-1-48. though para 7 of the G.R., confines the allowances to those on the regula r estt. only. The P.W.D. may be requested to issue the nece ssary orders in the matter.

(iv) In the case of the persons referred to ~~xx~~ by the A.G. the service rendered on work-charged or temporary estt. as the case may be ~~x~~ reduced by the percentage by ~~xxx~~ which their pay was reduced and the resulting service may be ~~xxx~~ counted for purposes of calculating " completed years of service".

Id. 16-12-48. Id. 16-12-48.

In all these cases, whatever concessions were given in respect of the pre-revision state of things must be conserved. There is no reason for either ~~x~~ curtailing or in hencing the concessions merely by reasons of the revision,.

As regards c.l.a. & h.r.a. is it clear that the persons concerne d are now ensuing pay ~~xxxxxxx~~ strictly on ~~xxxxx~~ basis. Or has some allce. been made for these previleges in some hidden form e.g. In meanse of advance increments granted under the powers excerised by such authorities on S.E. why not

As regards (iv) above to by such calculate completed years of services or represented by the amount of pay actually granted before the revision.?

Id. 18-12-

Finance Department. (X)

Resubmitted with reference to F.A's note dated 18-12-1948. The proposals in the P.W.D. office note dated 4-11-48. are re-examined below in the light of F.A's note.

2. (1) Approved of War Service. It is formally ascertained from the P. & S.D . that approved war service does not count for increments or seniority and that it has not yet been decided what portion of it should count as pensionalbe service. It is not clear how approved war service affects fixation on pay under the B.C.S. (Revision of Pay) Rules 1948. The definition of Government. service in rule 2(e) seems to require no change. The P.W.D. may be requested to elucidate portion 'A' of the S.E., C.C's letter dt. 7-10-1948.

(ii) Completed years of service.

The P.W.D. proposal is as follows. The pay of persons on the work-charged or temporary establishments taken on the permanent establishment is fixed after effecting a 16% or 6¼ cut as the case may be. The question is what part of their work-charged or temporary service should be taken into account for purposes of completed years of service. (Under rule 2(b) no part of such service can be taken into account). As suggested in para 3 of F.A.'s note dated 18-12-1948, this Department may advise that completed years of service as represented by t the amount of pay actually drawn at the time of fixation of pa pay may be taken.

(iii) House rent allwoance:-

Person who are provided with quarters at concessional rents not exceeding 10 % of their pay are not eligible for the h.r.a. for the reasons stated in this Department. Notes dated 15.7.48 (copies forwarded to the P.W.D. with that Departments u.o.r . No. 9210/36/3764). As regards persons on work-charged estabts., it is informally ascertained from the P.W.D. that the proposal is to grant the c.l.a. and h.r.a . only to those on mofussil scales of pay who were previously in receipt of c.l.a. under Appx. XVII-A to the B.C.S.R. .The powers

delegated to S.Es. etc. for the grant of advance increments t to such staff have since been withdrawn except in the case of overseers, and advanced increments are not granted by Govt. alone. It is understood that advance increments are granted o on account of the previous service and experience of he staff on different works and that it would ~~k~~ not be fair to deprive them of the c.l.a. and h.r.a. on this account. especially as Govt. servants on the temp. estabt. who are also granted suc h advance increments are eligible for the two allowancs. The P.W.D., may, therefore, be requested to issue orders makig the two allowances applicable to persons on the work-charged ~~XXX~~ estabt. on mofussil scales of pay who were previously in re ceipt of c.l.a. under Appx. XVII -A to the B.C.S.R.

(iv) In the case of the persons referred to by the A.G., completed of service may be calculated as suggested in the last sentence of para. (ii) above.

Id. 31-12-48.

Id. 31-12-48.

U.O.R. to P.W.D. dated 3-1-49-

for disposal please see Sn. No. 3379

Id.
20-1-49.

6919/36/3379

P.W. Deptt.

E. B. (II)

Submitted (to gether with Srl. Nos. 349 and 350).

2. These papers contain a discussion on doubtful points raised by the local officers in respect of the operation of the B.C.S. (Revision of Pay) Rules 1948.
They were dealt with in two batches (the c first batch from pag es 1-67 and the second batch pages 67-106) which have since been combined.

3. In G.R., P.W.D. No. 9564/34 dated the 14-12-48 orders have been issued withdrawing the concession of grant of higher starting pays to c lerkcal estabt. Para 6 of the draft has accordingly been suitably amended.

4. As desired by the F.D. in para 2(i) of its note, dated the 31-12-48 , the S.E., C.C., is being asked to elecidate portion 'A' of his letter No. G.R. 69/6942, dated the 7-10-48. Orders in respect of inclusion or otherwise of " approved War Service " in the t erm Government Service" may be held over for the present.

5. The views expressed by the F.D. at pp. 103-106 ante may be accepted

6. A consolidated self contained draft Resolution is put up for approval in lieu of the one at pp. 61-64 ante. It is for orders whether it may be submitted to H.M., P.W.D. beforeissue.

Id.
22-1-49.

Id. 26-1-49. Id. 26-1-49.

H.M., P.W.D. Id. Id. 28-1-49.

271-49. Id. 29-1-49.

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Letter.

No. 6919/36-IX-E(II).

Public Works Department,
Bombay Castle, 27th January 1949,

To

The Superintending Engineer

Central Circle.

Subject:- Bombay Civil Services(Revis
ion of Pay) Rules, 1948.

Reference:- Your letter No. G.R. 69/6942, dated the 7th October 1948.

2. You are requested to elucidate by concrete examples how it would create discontent and hardship in fixation of pay of subordinates under Bombay Civil Services, (Revision of Pay) Rules 1948, If " approved War Services" is omitted from the term " Government service."

By order of the Governor of Bombay

Id.
271-49.
For Deputy Secretary to the Government,

of Bombay.

Public Works Department.

Id.
271-49.

VERY URGENT. No. DAIX. Revision of Pay Scales. 1942.

Bombay, the 29th January 1949.

FROM

THE ACCOUNTANT GENERAL,

BOMBAY.

To

The Secretary to Government in the P.W.D.,

Bombay.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948.

I have the honour to state that a number of pension cases of retired men who were on temporary or on work charged Establishment in the P.W.D. and were subsequently brought on the permanent Establishment are outstanding in this office pending issue of orders of Government on the point viz. how much service out of the temporary or work charged service is to be taken as " completed years of service" for purposes of Rule 8(of the Bombay Civil Services (Revision of Pay) Rules 1948. This point has already been referred to Government by the Superintending Engineer , C.C., (point 2 of his letter No. G2R. 69-6942 dated 7-10-1948). and by the Superintending Engineer Eastern Circle (point 2 of his letter No. G. 95(a) 7143 dated 20-11-48). In this connection it may be stated that it has been decided by the Government of India that no benefit of any advance increments or higher initial pay can be allowed for calculating " completed years of service" and hence actual service in a post on the corresponding scale should only be taken into account. In another case the Finance Department of the Government of Bombay has also decided, (Finance Department Memo. No. 6567/33/45735-X dated 8-11-1948) that the Service prior to 27-10-1933 rendered by the staff of the official Assignee prior to the date of conversion of that office into a regular Government Department from 27-10-1933 should not be reckoned as " completed years of service " in the corresponding scale for purposes of fixation of pay under Rule 8 of the Bombay Civil Services (Revision

of Pay) · Rules 1948. The present issue may therefore be con sidered in the light of the above remark.

2. As the men are pressing for the final settlement of their claims, early orders of Government are requested on the point raised.

Sd/-
DEPUTY ACCOUNTANT GENERAL.

~~EB.(II)~~

E.B.(II)
31-1-

153

6919/36
6907.

E.B. (II) P.W.D.

The point raised in the A.G's letter at p. ante ~~xxxx~~ has already been considered and decided upon in the consultation with the F.D. The decision has been incorporated in para 4 of the draft G.R. at pp. ante which has been sent to The ~~P~~ress ~~xfxx~~ for printing. There does not seem any reason now to alter that decision, The F.D. may, however, see the A.G's ~~xixxxxxx dxxx~~ letter. particularly with ref. to the concluding portion thereof for information before the draft G.R. is issued.

Id. ~~16-12-~~49. Id. 16-2-49.

Very Urgent.

U.O. to F.D.

With fimle No.
F.D. 6567/33
55454
8027,

Finance Department(XBr).

This department may concur~~a~~ in the view ~~xxxxx~~express ed at 'A' above. The case of the P.W.D. work-charged and temporary staff can be already distinguished form that of the staff of the Official Assigne etc.

Id. 18-2-49. Id. 19-2-49.

U.O.R. to P.W.D., dated 19-2-49.

Bombay Civil Services(Revision of Pay) Rules 1948: Clarification of doubtful points in respect of the-

GOVERNMENT OF BOMBAY.

PUBLIC WORKS DEPARTMENT.

Resolution No. 6919/36-IX.
Bombay Castle, 1st April 1949.

Read endorsment No. G.R. 69/288 , dated the 14th February 1948, from the Superintending Engineer, Sepcial Investigation (now Karnatak Irrigation) Circle.

Read letter Nos. 1292 and D/50, dated the 17th February 1948 and the 29th February 1948, respectively, from the Superintending Engineer; Deccan Irrigation Circle.

Read letters No. G.R. 69 , dated the 18th February 1948 , the 20th February 1948 and the 3rd June 1948, from the Superintending Engineer, Sourthern Circle.

Read letter No. 2776, dated the 2nd April 1948, from the Public Health Engineer to Government.

Read letter No. 1214 dated the 1st April 1948, from the Superintending Engineer, Northern Circle.

Read letters Nos. G.R. 84/3230 and G. 105/4337, dated the 9th April 1948 and the 14 thm May 1948, respectively from the Superintending Engineer, Bombay Circle.

Rgad letter No. 3526 , dated the 9th June 1948, from the Superintending Engineer , Eastern Circle.

Extract paragraph 2 of endorsement No. 940 dated the 11th October 1948 , from the Accountangt General , Bombay to the address of the Superintending Engineer, Central Circle as Under:-

"2. The point at (b) of his letter No. G.R. 69/3288, dated 14th May 1948, is an important one and requires to be settled immediately viz., in the case of work-charged and temporary - Establishment promoted to permanent posts on reduction of pay on percentage basis and in whose case $\frac{1}{3}$ and $\frac{2}{3}$ of their previous service has been allowed to count for pension, whether the w whole work-charged or temporary servife prior-to date of

promotion to permanent Establishment should be considered as 'completed years' of service for purposes of Rule 8(1)(a) and (c) of the Bombay Civil Services (Revision of Pay) Rules, 1948 You were requested in this office letter No. DAIX-Revision of Pay Rules /238, dated 22nd May 1948, that the matter may be referred to Government for decision . A number of men falling under this category have since retired after 1st January 1947 and their pay under the prescribed scales is required to be fixed for purposes of ~~xxxxxx~~ pension. Please state whether the Govt- have issued orders in this connection. A copy of your reference to Government may please be forwarded to this Office."

RESOLUTION:- Government is pleased to issue the following orders in connection with the operation of the Bombay ~~xxx~~ Civil Services (Revision of Pay) Rules 1948..

2. What should be taken as 'Basic Pay' for purposes of refixing the pay under rule 8 of the Bombay Civil Services (Revision of Pay) Rules 1948.- The term Basic Pay' is defined in Bombay Civil Services (Revision of Pay) Rules, 1948. as the amount drawn monthly by a Government servant as pay as defined in Bombay Civil Services Rule 9(39), (a) (i) . The term ' present pay'. is clearly defined in Rule ~~(2)~~ 2(i) of the Revision of Pay Rules. It is the basic pay actually drawn by a Govt. servant on the 1st January. 1947 (or the date of refixation pf pay in the prescribed scale) in the unrevised scale. The higher starting pay should automtaically be included in the 'present pay However the higher starting pay or its equivalent stage should not be taken into account in calculation the pay that wouldhave been admissible had the completed years of service in the corresponding scale been rendered in the prescribed scale.

3. Date from which the higher starting pays sanctioned in Government Circular Memorandum, Finance Department, No.6567/ 33-III, dated the 15th January 1948 should be given effect- The higher starting pays sanctioned ~~xxx~~ in Government Circular Memoraudum, Finance Department,

No. - 6557/33-III, dated the 15th January 1948, should be deemed to have effect from the 1st January 1947 and not from the 15th January 1948. The attention of the local officers is invited to General letter No. 57 dated the 29th March 1948, issued by the Accountant General, Bombay, and published at page 1428 of the Bombay Government Gazetted (Part I,) dated the 1st April 1948. Accordingly the initial pay admissible to a matriculate clerk should be taken as on 1st January 1947, for calculation of pay under Rule 8(1) (c) of the Bombay Civil Services (Revision of Pay) Rules 1948.

- 4. Whatever temporary and/ or work-charged service rendered by a subordinate prior to his permanency can be taken into account in the corresponding scale for purposes of completed years of service, as mentioned in rule 8(1) (c) of the Bombay Civil Services (Revision of Pay) Rules 1948. The " completed years of service" should be reckoned as represented by the amount of pay actually drawn by the subordinate concerned in his scale at the time of the fixation of his pay when he was brought on to the permanent establishment.

- - 5. Refixation of pay of Engineering graduates in the Subordinate Service of Engineers:- The pay of an Engineering graduate appointed to the Subordinate Service of Engineers under the guarantee should be fixed at Rs. 132 per mensem during the one year on probation , Rs. 132 per mensem for the one year after confirmation and Rs. 140 per mensem thereafter (on a permanent basis) in the Subordinate Service of Engineers scale viz. Rs. 80-5-100-8-140-E.B.-10-220-E.B.-10-270.

6. Starting pays to Matriculate Clerks and Sectional Karkuns :- In view of the revised scales of pay issued by Government and the orders issued in Government Resolution, Public Works Department , No. 9564/36, dated the 14th December 1948, the orders regarding grant of higher starting pays issued in Government Resolution, Public Works Department No. 6717/36(1), dated the 17th July 194, and Government Letter, Public Works Department, No. 6717/36-E(II), dated the 27th April 1945, are inoperative in so far as they relate to qualified clerks.

7. Application of the orders issued in the Bombay Civil Services(Revision of Pay) Rules , 1948. to members of work-charged establishment.- The pays of members of work-charged establishment are generally regulated in the scales sanctioned for the corresponding permanent or temporary establishment. The Bombay Civil Services (Revision of Pay) Rules 1948. , therefore , automatically apply to the members of the work-charged establishment for whom correspondi g scales for permanent or temporary establishment exist. In respect of members of work-charged establishment for whom no corres onding scales existed for permanent or temporary establishment, orders have already been issued in Government Resolution , Public Works Department , No. 6919/36-E (II), dated the 11th December 1948.

8. Whether service as Divisional Head Clerks and First Clerks in the Superintending Engineer's office may be grouped to gether for purposes of calculating 'completed years of service' mentioned in rule 8(1) of the Bombay Civil Services (Revision of Pay) Rules, 1948, - Government is pleased to direct thatin relaxation of Bombay Civil Services (Revision of Pay) Rules 1948, the service rendered by Divisional Head Clerks and First Clerks in Superintending Engineer's Office in the unrevised scales of Rs. 115-5-160 and Rs. 135-5-180 respectively (or the corresponding scales) should be taken into account while computing the 'completed years of service' in any of the two scales.

9. Whether thepays of subordinates who were brought on the permanent establishment and were already refixed previously, in accordance with orders then current should again be refixed in the revised scale of Rs. 46-3-85-E.B.-4-105 or similar revised scales after adopting the principles laid done in Government Letter , Public Works Department ,No. 2648/36-E(II) dated the 3rd October 1947; - The method of refixing the pays in respect of the revised scales under the Bombay Civil Services (Revision of Pay) Rules 1948, has been explained in rule 8 of the rules . The method should be strictly followed in fixing revised scales of the categories referred to above.

10. House rent allowance:- (i) Subordinates who are provided with quarters at concessional rents not exceeding ten per cent. of

their pay are not eligible for house rent allowance.

(ii) Members of work-charged establishment on mofussil scales of pay who were previously in receipt of compensatory local allowance under Appendix XVII-A to the Bombay Civil Services Rules, Volume II, should be held eligible for the compensatory local allowane and the house rent allowance sanctioned in Government Resolution, Finance Department, No. 6567/33-IV, dated he 15th January 1948. The grant of the allowances during leave should be regulated by paragraph 92 of the Bombay Public Works Department Manua l, Volume I.

* Printed as an accompaniment to this Govt. Resolution.

11. Copies * of letter No. D.A.IX. Revision of Pay Rules/586, dated the 3rd August 1948, form the Accountant General Bombay to the address of the Secretary to Government, Finance Department and Government Memorandum, Finance Department, No.6567/33/32600-X dated the 28th September, 1948, in reply thereto, regarding the method of fixation of pay under rule 8(1) of the Bombay Civil Services(Revision of Pay) Rules, 1948, are enclosed for the information and guidance of the local officers.

- 3 -

12 Recovery of excess payments fixing the revised scales and grant of authority to local officers to waive the recovery in deserving cases:- There revised pays are to be refixed in accordance with rule 8 of the Bombay Civil Services (Revision of Pay) Rules , 1948. The 'note' below that rule ladys down that when pay as fixed under the new rules, is less than the Government servant s present pay and interim relief, the difference should be treated as personal pay to be absorbed in future increments. In view of the above, the question of the recovery of the excess amounts does not arise. If any excess amount s have already been recovered by the local officers, these amounts should be refunded to the subordinates concerned.

By order of the Governor of Bombay,

Id. 27-4-49.

(K.V. JOGLEKAR,)
Deputy Secretary to Government.

G.R. No. 6919/36-IX, P.W.D. , dated the 1st April 1949.

To

The Finance Department.

All other Departments of the Secretariat except the seperate Department.

The Accountant General, Bombay (through the Finance Deptt.)

The Electrical Commissioner with the Government of India Bombay.

The Superintending Engineers of Circles.

The Electrical Engineer to Government.

The Public Health Engineer to Government.

The Architech to Government.

The Director, Development Department Chawls.

All Executive Engineers.

No. of 1949.

Copy forwarded for information and guidance to-

Accompanyments to Government Resolution, Public Works Department No. 6919/36-IX, dated the 1st April 1949.

Copy of the Accountant General, Bombay's letter No. DAIX, Revision of Pay Rules /585, dated 3rd August 1948, to the Secretary to the Government of Bomay, Finane Department.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948

" I have the honour to invite a reference to t he rules cited above and to refer the following case for orders of Government:-

An overseer in the Public Works Department who was an old entrant drawing pay in the pre-1931 scale of Rs. 60-5-100-10-250(E B.) at Rs. 100 plus Rs. 170 elected with effect from 1st July 1944 the post-1931 scale of Rs. 70-5-110-E.B. -10-180-E.B.-10-250 (Selecting 275) which was sanctioned in Government Resolution, Public Works Department, No. 6717/36, dated 17th July 1944. The Government Resolution also sanctiond with effect from 1st July 1944 the substitution of the above scale for the scale of Rs. 54-4-90-E.B.-4-130-E.B.-5-150(Selection Grade 175) previously sanctioned for new entrants. The point at issue in fixing the pay of the overseer in the prescribed scale on 1st January 1947 under rule 8(2) of the Rules cited above, is (i) whether his service should be taken in the pre-July 1944scale of (54-4-90E.B

4-130-5-150) up to 30 th June 1944 and in the July 1944 scale (70-5-110-E.B.-10-180-E.B.-10-250) thereafter or (ii) whether the entire service should be taken in July 1944 scale. The pay that will be admissible to the overseer on 1st January 1947 under the Bombay Civil Services (Revision of Pay) Rules 1948, by the application of the two methods is given below:-

Method I. 30

Pay for 22 completed years of service in the grade of-

(a) 54-4-90-4-130-5-150 up to 30th June 1944 and

(b) 70-5-110-E.B.-10-180-E.B.-10-250

comes to Rs. 150 on 1st January 1947.

His pay in the prescribed scale of 80-5-100-8-140-10-180-10-270 on 1st January 1947 will therefore be as under :-

Rule 8(1) (a) 160 plus 30 plus 60= 250.

Rule 8(1) (b) 150 plus 20 and next stage 250

Rule 8(1) (c) 22 completed years of service in prescribed 270 scale.

Under this method his pay in the prescribed scale will be Rs. 180 being the low but according to clause 2(i) of the Government Finance Department Circular Memorandum, No.6567/33 dated 29th May 1948, he will be entitled to have his pay fixed at Rs. 250 viz. one stage above the next higher stage above his present pay which is Rs. 230 on 1st January 1947 in the July 1944 scale.

Method II.

If the entire service is taken in the scale of Rs. 70-5-100-E.B.-10-180-E.B.-10-250, his pay in the above scale on 1st January will be Rs. 250 and his pay in the prescribed scale will be Rs. 270 as shown below:-

Rule 8(1) (a) 260 plus additional increments for 22 years. 270 maximum.

Rule 8(1) (b) 250 plus 20 plus next stage. 270 maximum.

Rule 8(1) (c) 22 completed years of service in prescribed scale 270 maximum.

The difference in the pay to be fixed arises on account of the method to be adopted in calculating his constructive

pay in the revised scale i.e., whether the scale of pay in fo rce on the date of replacement by the prescribed scale should alone be taken into account or whether all the scales attached to the post should be taken into account. Orrders of Govt. are requested in the mater.

Similar case in the Central side has not yet been referred to and decided by the Govern-ment of India.

Copy of Memorandum No. 6567/33/32600-X dated 28th September 1948, from the Government of Bombay, Finance Department (Ind. DAIX. 410) to the Accountant General, Bombay.

Subject:- Bombay Civil Services (Revision of Pay)Rules 1948.

The undersigned presents compliments to the Accountant General , Bombay, and with reference to his letter DAIX Revision of Pay Rules, /585 dated3rd August 1948, is directed to state that Method I suggested therein should be followed in calculating the present "pay" of pre-1931 entrant in the post-1931 scale or scales for purposes of Rule 8(2). In the particular case of the overseer mentioned in the letter, however, the Method is not applicable as he is at a pre-1931 entrant within the meaning of Rule 2(h) of the Bombay ~~xixix~~ Civil Services (Revision of Pay) Rules, 1948,. The overseer was actually drawing pay in the post-1931 scale of Rs. 70-250 on 1st January 1947, hence he is a post 1931 entrant and his pay should be regulated under ~~xxx~~ fule 8(i).

Id.
27-1-49.

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Date 27/1/20

To

The Shief Engineer, and Secretary to

Government of Bombay.

Subject:- Pay: Fixation of under the revised Rule

Sir,

I beg to submit the following few lines with a hope that they will receive sympathetic consideration & favourable decision.

(2) After careful study and scrutiny of the Government orders issued in G.R. Finance Department No. 6567/33-I, dated 15-1-1948, under which revised pay rules have been introduced with effect form 1-1-47, I find that the orders as they exist, proved ~~determined~~ detrimental to the clerks of my grade (S.A.C) especially. By the introduction of the pay scales now prescribed and the procedure followed in fixing of pays as per Rules 8 of the G.R. referred to above, the clerks who were junior in service in the lower grade but are recently promoted to S.A.C's grade get higher rates of pay than those of the clerks already working as S.A. Clerks. This my statement is corroborated by one or two concrete instances as detailed in the Stetement attached. I am sure there will be more instances of nature available if the whole seniority list of the Central Circle is scrutinised with that view.

(3) In view of the orders in G.R. P.W.D. , No.2832/36, dated 16-2-1942 , regarding fixaton of seniority on the criterion of pay and according to the fixation of pay ad future promotions now arrived at, the Junior Clerks newly promoted to the S.A.C. grade would supersede the Senior members even though the latter were senior so long and have been promoted to that grade long before. Thus the Seniority of ~~these~~ the so called senior clerks is at stake, and they are related to satisfied with lower rates of pay when their junior members have the luck to draw more salary. The fun of thw whole story is that this is due to no fault on the part of the clerks of my catagery .

(4) This anomaly is of such nature that it warrants immediate attention and consideration. Our present position is certainly rediculous. It is disappointing and detrimental to our future career also. In these circumstances I request some redressed from Government at an early date.

(5) Here I take permission to submit that similar cases occured in the Forest Department and to wipe off the anomalies represented by that Department Government in the Revenue Department have issued, I understand, certain instructions in Government Letter R.D. No. 5942/45/22689-D dated 2-6-1948. If some such remedy is adopted by Government to minimise the grievences of the P.W.D. clerks, also, it will certainly be deemed a great favour by the clerks affected.

(6) Incidentally, I submit that I was promoted to the post of a S.A. Clerk on 291-1946 in provisionally permanent capacity and as this promotion was only provisional my past service in grade of 75-5-100 may be allowed to be counted for the purposes of increments and pay accordingly in the post of Senior Accounts Clerk. That may, in my opinion reduced the grievance.

Yours obediently,

Poona,

27-7-1948.

(M.K. Bapat)
Senior Accounts Clerk,
to the Executive Engineer,
Poona East Division.

Respectfully submitted through,
(1) The Executive Engineer, Poona East Division

and

(2) The Superintending Engineer, Central Circle, Poona.

Statement showing how certain clerks in the grade of Senior Accounts Clerks.

have been superseded by Juniors while fixing the pays under G.R.,F.D. No.6567/33-I, dated 15-1-48.

S.No.	Name of the Clerk	No. as per seniority list of the Central-Circle	Pay fixed on 1-1-47, under rule 8 of the Govt. Resolution	Present pay with effect from.	Remarks.
					Promoted to the grade of Senior Acctts. Clerk from 2-7-1945.
1.	Mr. M.K. Bapat	14	Rs. 116/-	Rs. 1312/- from 2-7-48.	(Offg. services as S.A.C. from 18-6-40 to 17-10-40 4 months. 20-1-41 to 5-1-41 ... . 2-16-0 i.e. service as S.A.C. for 2 years and 15 days, prior to 1-1-1947. 2 increments of Rs. 8/- each on 2-7-47 and 2-7-48. respectively.
2.	Mr. V.K. Patankar.	15	Rs. 116/-	Rs. 124/- from 23-11-47.	Promoted to the grade of S.A.C. from 23-11-45. One increment of Rs. 8/- from 23-11-47.
3.	Mr. J.D. Saptarishi	18	Rs. 116/-	Rs. 132/- from 5-6-48.	Promoted to the grade of S.A.C. from 5-6-47. Pay on 1-1-47. Rs. 116/-. One increment on promotion Rs. 8/- from 5-6-47. - do- annual Rs. 8/- from 5-6-48. Thus supersedes Nos. 1 and 2 from 5-6-48.
4.	Mr. F.S. Shaikh.	29	Rs. 108/-	Rs. 132/- from 9-4-48.	Promoted to the grade of S.A.C. from 9-4-48. pay on 1-1-47.- Rs. 108. First increment of Rs. 8/- i.e. Rs. 116/- from 29-3-47. 2nd -do- of Rs. 8/- i.e. 124/- from 29-3-48 3rd - do- promotion i.e. Rs. 132/- from 9-4-48. Thus he supersedes No. 1,2 and 3 above from 9-4-48.

Below application dated 27-7-48, from Mr. M.K. Bapat , Senior Accounts clerk addressed to the Chief Enginedr, and Secretary to Government of Bombay P.W.D., regarding -pay- Fixation of --under the revised scale 1948.

No. AB/EST/19/6746, of 1948.
Poona, 31st July 1948.

Passed on with compliments to the Superintending Engineer, Central Circle, Poona for favour of further disposal.

2. The Statement showing the fixation of pay of Senior Accounts Clerks has been forwarded to his office under this office No. AB/2920 of 20-4-48-.

3. The grievances put forth by the clerk are gunine and deserve early consideration.

Sd/- R.D. Bakeri,
Executive Engineer,
Poona East Division.

-8-

Persons affected is allowed to be taken into account in computing the completed years of service. If one Departmeh thus allows the pay being fixed on that basis it is natural that we P.W.D. clerks should also aspire to get the same treatment from our Department.

4. As a matter of course it was my honest assumption that a strong case to remove these anomalies will be made out and reported to Government for necesszry orders by the Administerative Office, as it is their privilege to guard the interests of the establishmeh working under their control , but as nothing appeared to have been done in that direction, for a considerable period, I had to submit a personal representation on 27-7-1948 . But unfortunately for me no action of the same seems to have been taken as yet, as I am not informed of the same and hence most reluctantly I am required to submit this reminder with a hope that it will re-ceive due consideration both by the Administrative office and in the Secretariat.

Yours obediently.
Sd/-
Senior Accounts Clerk.
to Executive Engr. Poona, East Dn.

Respectfully submitted through

1. The Executive Engineer, Poona East, Division,
and
2. The Superintending Engineer, C.C., Poona.

Advance copy with copies of the original application and statement, submitted to the Chief Sax Engineer, and Secretary to Government, P.W.D., Bombay.

'4/9

No. G.R. 69/7717 of 1948.
Public Works Department,
Poona,1. 9th November 1948.

TO

The Secretary to Government,
Public Works Department,
Bombay.

Subject:- Applications of 27-7-1948 and 20-9-1948 from Mr. M.K. Bapat, Senior Accounts Clerk from Poona East Division regarding fixation of pay

Reference :- Government Memo: No.6919/36-E(II) dated 301-10-1948.

The points raised in the above mentioned two applications of the clerk have been fully dealt with in this office No. G.R. 9/7053 dated 11-10-1948, and a reference in in this connection , invited to the concluding portion of para 2 iii (a) of that reference . As the clerk has already submitted ad advance copy of his application dated 20-9-1948 to Government , the original application is not sent again with this office reference of 11-10-1948 referred to above.

Id.
9-11-
Superintending Engineer,
Central Circle.

Id.
9-11-

E.B. (II) P. W. D.

The communication refd. to at 'A' overleaf has been dealt with in file No. 6919/36 which is under submission to Secretary . No action is necessary an these papers beyond awaiting final decision on the main file refd. to above.

Id.
16-11-48.

Keep with the main file on return.

Id.
17-11-48.

50

Poona, 17th March 1949.

To

The Chief Engineer and Secretary to Government,
Public Works Department, Bombay.

Subject:- Pay-Fixation of-
under the rewised rules 1948.

Sir,

It is over five months now since I submitted ax remind er on 20th September 1948 for consideration of my representation dated 27th July 1948 and as no decision over the points represented is yet communicated to me. I venture to submit this reminder, with request to pass early orders in the matter.

2. The anomalies pointed out by me in my appeal depose naked truth that grave insjustice has been done to the clerks of the S.A.C. grade and especially so to those who have been promoted to that grade prior to 1-1-1947. The position of these clerks, when compared with that of the lower grade i.e. of the grade of 92-8-140 exhibits a face hat the former have to shoulder greater responsibility and burden of work with the same or even lesser pay. This is certainly not a fair treatment and is likely to dishearten any sensible man, though as a matter of fact one is bound to submit meekly to the circumstances and to perfor the allotted work as duty for duties sake.

3. I have sufficiently explained the awkward position of the clerks of my category in my provious application, I gain submit with a request to kindly obtain early Government orders on the points whichare of vital importance to a number of affected clerks , who are naturally very eagar for the decision .

Yours obediently,
Sd/-.
Senior Accounts Clerk
ecutive Engineer , Poona East Dn.

Respectfully submitted through:-
1. The Executive Engineer, Poona Division.
2. The Superintending Engineer, Central Circle., Poona.
Advance copy submitted to the Cheif Engineer dnd Secy. to Govt. Public Works Department , Bombay.

6919/3*
30305.

E.B. (II). P.W.D.

In the concluding portion of para 2 (iii) of his letter No. G.R. 69/7053, dated the 11-10-1948, the S.E.C.C. had suggested that in order to safeguard the interests of senior clerks orders may be issued to the effect that no seknior clerks should drawn less pay than what his juniors would be entitled to draw. If this request is granted M. Napat and other simolerly situated will have no grievance.

2. In this Department seniority in a grade is determined by the pay, vide G.R., P.W.D. No. 2832/36, dated the 16-2-42. The statement at pa. 3 ante shows how the anomaly arises.

3. It is for consideration whether the recommendation made by the S.E.C.E., vide para, 1 above, may be accepted in u.o. consultation with the F.D.

Id./-
8-4-49.

As in last para of the O.M.

Id. 8.4.49.

* with file No. 6919/36 VII.

*

U.O. to F.D. dated 11-4-49.

Financial Department(XBr.)

The P.W.D. may be requested u.o. to state the pre-revision scale of pay of the posts held by the four clerks mentioned in the statement at p. 3 ante, and their basis pay in that scale on 31-12-46, in the first instance.

Id. 22-4-49. Id. 23-4-49.

* with P.W.D. 6919/36-VII. Id/- 28-4-

*

U.O.R. to P.W.D. dated 23-4-49.

E.B.(II). P.W.D.

The statement at pp. 60-61 in file 6919/36-VII gives the information required by the F.D. The file may be forwarded u.o. to F.D. with a request to return it when done with.

Id. 4-5-49., Id. 3-4-49.

* With file No. 6919/36 VII.

*

U.O. to F.D. dated 5-5-49.

Finance Department(X)

Please see Mr. Bapat's representation dated 27-7-48 together with the statement xxi accompanying it at pages 1-3-ante. The anomaly pointed out therein has arisen mainly because inthe case of S.A.Cs. promoted prior to 1-1-47, service rendered in that scale only is reckoned as " completed years of service" for purposes of fixation of their pay under the B.C.S. (Revision of Pay) Rules 1948, It can be avoided as has been done in the case of Jr. Acctts., Acctts., and Head Clerks in the Forest Department (G.L., R.D. No. 5942/45/ 22689- Dated 2,6. 1948), if service rendered in the two scales of (i) Rs. 70-5-95 and (ii) Rs- 95-5-115 (xxxx or their corresponding old scales viz. Rs. 75-5-100 and Rs. 106-5-125) is allowed to be taken intoaccount in computing the " completed years of service" in any of these scales for purposes of the B.C.S. (Revision of Pay) Rules 1948. The P.W.D. may be requested to issue orders accordingly.

Id.
12-5-49.

Id.
14-5-49.

E (II) 17-5-

U.O.R. to the P.W.D., dated 16-5-1949 with file No. 6919/36-

VII

83

Executive Engineer's Office,
Broach, Dated 9th April 1948.

To

The Secretary to Government of Bombay,
Public Works Department,
Bombay.

Subject:- Fixation of date of increment in the revised pay scale as per G.R. F.D. No. of 1948.

Sir,

I humbly bet to lay the following few lines for favourable consideration.

(1) To eliminate the grievances of low paid Government servants due to very high cost of living, Government was please [illegible] to sanction their revised pay scales. For this, rules on a general outline were framed for th e purpose of calculation and fixation of their respective grade. Injustic e has crept in, in some of the cases for no fault of theirs, but no account of the rules, my case runs as under.

(2) Before the revised pay scales were sanctioned vide G.R.F.D. No. 6567/33-I of 15-1-1948 I was working as a Senior Accounts clerk from 14-5-47 in the old grade of Rs. 95-5-115, The effect of the revised pay scale came from 1-1-47, when I was in the grade of Rs. 75-8-100 (reached maximum on Rs. 100/- since about 3 years after a length of 25 years service in the Department.) My pay was therefore fixed @ Rs. 116/- p.m-. from 1-1-47 under clause 8 (b) in the corresponding scale of Rs. 92-8-140 and Rs. 124/- p.m. from 14-5-47, as a Senior Accounts clerk in the grade of Rs. 100-8-140-10-150. This sort of fixation of my pay has adversely affected the date of my increment and the seniority in the gradation list of the clerical Establishment. This is how is explained below:-

As per seniority list, the position is as under:-

Name of clerk.	On 1-1-47 in 92-8-140	100-8-140-10-150 (S.Ac's grade)	Date on which	Pay on next increment	Date of next increment.
1.Mr. C.M. Kotwal.	116/-	124/-	14.5.47	132	14-5-48.
2.Mr. H.N. Kapadia.	116/-	124/-	1-10-47	132	1-10-48.
3. Mr. N.K. Modi.	116/-	132	5-1-48.	140	5-1-49.

It will be clear from the above, that Mr. Mody(Item No.3) Clerk though Junior to me on the seniority list becomes senior in pay due to fixation of his date of increment, by about 4½ and 10 months x respectively.

Mr. Mody's pay was ~~fixed~~ fixed as under:-

Rs. 116/- on 1-1-47 in the grade of 92-8-140

Rs. 124/- on 1-1-48 -- Do--

Rs. 132/- on 5-1-48 in thegrade of 100-8-140-10-150 on the date he ~~xx~~ returned to duty from leave when he was due for promotion in the S.A.C's cadre prior to that Even on ~~xxx~~ promotion, as Head clerk, Mr. Mody gets Rs. 150/-p.m. whereas I, as Head Clerk get Rs. 140/- p.m.

(3) It cannot be the intention of Government in the least , while framing the rules, that the seniors should become juniors while fixation of the low paid clerks. I have become a ~~xxx~~ victim to no fault of mine. Under the above circumstances my humbly request is to advance the date of my increments there by fixing my pay @ Rs. 132/- p.m. from 2-1-48 in the grade of 100/8-140-10-150, so that my seniority may not be affected at all.

Yours faithfully
~~xx~~ Id/-
9-4-
(C.M. Kotwal).

Through

The Executive Engineer, Broach Division , Broach W.Cs.

with due recommedation.

and

Through

The Superintending Engineer South Gujrat Circle, Surat W.Cs. and with reference to his No. 1403 of 24-3-1949 for representing this case to Government with recommendation in removing the injustice done to me:

No. 3689 of 1949.
Office of the Executive Engr.
P.W.D., Broach 12 April 1949.

Forwarded and strongly recommended for favour of consideration of this case. His work has been found extremely satisfactory and his grievanes may be removed.

Id/-
EXECUTIVE-ENGR
BROACH DIVN.

85

Surat, 25th April 1949.

To

The Secretary to Government,

Public Works Department,

Bombay.

Subject:- Clerical establishment-

Refixation of pay in the-

South Gujrat Circle.

Sir,

I beg to approach you with the following for favourable consideration,

With the introduction of the Revised Pay Scales, as per Government Resolution Finance Department No. 6567/33-I dated 15-1-1948, my pay was fixed at Rs. 116/- on 1-1-1947 in the scale of 929-8-140 . The pay of my junior Mr. N.K. Modi Clerk, was also fixed at that figure. Before the orders for the Revised pay Scales were received, I was appointed as a Senior Accouts Clerk in the Surat and Broach Division on 1st October 1947, and my pay was fixed at the next higher stage. i.e. Rs. 128/- on 1-10-1947, in the scale of the Senior Accounts Clerk, viz. 100-8-140-10-150. My next increment in this scale fell due on 1-10-1948, raising my pay from 124/-to Rs. 132/- My junior Mr. Modi earned his next increment in the scale of 92-8-140 on 1-1-1948 and his pay was raised to Rs. 124/- He was appointed as a Senior Accounts Clerk four days thereafter, on 5-1-1948 and granted the next higher stage i.e. Rs, 132/ on that date. This has resulted in the anomaly that the clerk junior to me drew Rs. 132/- on 5-1-1948, while I did in on 1-10-1948, though promoted 3 months earlier in the same scale.

With a view to remove the anomaly, I requested the Superintending Engineer, Northern Circle, Ahmedabad , that I may be alowed to excercise the option under B.C.S.R. 44(a) . The request was refused and it was informed that the option was not exercisable since the change involved was from one grade from one grade to another.

Thereafter, the Executive Engineer, Surat and Broach Division so kindly referred the matter back to the Superintending Engineer, South Gujrat, Circle, Surat, requesting the matter mighe be reconsidered in view of the orders in G.R. F.D., No. 6567/33 dated 13-10-1948 and that they may b be made applicable to my case, by advancing the date of t next increment to 5-1-1948, the date on which the juniors w was promoted and drew Rs. 132/- in the scale of S.A.C. The Superintending Engineer, South Gujrat Circle reconsidered that the orders in the Government Resolution were not applicable to my case.

Having thus been aggrived , I have approached you with a request that my pay may kindly be allowed to be refixed in the saale of 100-8-140-10-150- in either of the following manners. :-

(1) By allowing me to exercise the option under B.C.S.R. 44 (a) i.e. I might be allowed to be considered to have been promoted to the grade of S.A.C. (scale 100-8-140-10-150) after I earned my increment on 1-1-1948 in the scale of 92-8-140.

Or

(ii) By advancing the date of next increment (1-10-1948) to 5-1-1948 the date on which the junior clerk was promoted to the S.A.C's post, on the anology of orders issued in G.R., F.D. No. 6567/33 dated 13-10-1948.

For this act of kindness , I shall ever remain grateful,

Yours faithfully,

Sd/- 25-4-49.

(Offg. I st Clerk
S.E.S.G.C. 's office).

Respectfully submitted through the Superintending Engineer, South Gujrat Circle, Surat.

Below representations from Messrs. C.M. Kotwal and H.N. Kapadia, S.A.Cs. dated 9th 25th April 1949, respectively.

No. 2418 of 1949.
Office of the Suptdg. Engr. S.G.C.
P.W.D. Surat, 13-5-1949.

Forwarded with compliments to the Secretary to Government Public Works Department, Bombay for favourable consideration.

2. In the old Surat and Broach Division, the following three clerks were serially one below the other in order of seniority:-

(1) Mr. C.M. Kotwal.

(2) " H.N. Kapadia.

(3) " N.K. Modi.

On 1st January 1947 , they were in the old Senior grade of Rs. 75-5-100 and each was drawing a salary of Rs. 100/- P.M. The first was promoted as S.A.C. on 15-5-1947, second on 1-10-1947 and the third on 5-1-1948 and the pay in the old scale of S.A.C. Rs. 95-5-115 was fixed at Rs. 105/- in the case of each of the clerks on their promotion as S.A.Cs on the dates mentioned:-

3. When the revised pay scales were introduced asper G.R.F.D. No. 6567/33-I dated 15-1-1948, after all of them were promoted to the S.A.C., their pays were fixed as shown below:-

	Pay on 1-1-1947	Pay on 15-5-47 as S.A.C.	Grade of S.A.C.- Rs. 100-8-140-10-15
(1) Mr. C.M. Kotwal....	Rs. 116/-	Rs. 124/-	
(2) Mr. H.N. Kapadia.....	Do	1-10-47 as S.A.C. Rs. 124/-	
(3) Mr. N.K. Modi....		1-1-48 in senior grade Rs. 124- with an annual increment of Rs. 8/-	

Mr. Modi earned his increment of Rs. 8/- in the grade of Rs. 92-8-140 on 1-1-48 and his pay was fixed at Rs. 124/-, 4 days there after i.e. on 5-1-48, he was promoted as S.A.C. and his pay was fixed at Rs. 132/- ,(next higher stage in the S.A.C's Scale of Rs. 100-8-140-10-150), Messrs. Kotawal and Kapadia drew Rs. 132/- P.M. from 15-5-48, and 1-10-1948 , respectively five and nine months after their junior Mr. Mody was drawing the pay, though the former two were promoted eight ene three months earlier to that grade.

88

4. In accordance with Rule 44(a) Chapter IV-page-33 of the Bombay Civil Services Rules Manual-Vol.I., the holder of a post , may at his option retain his old pay until the date on which he has earned his next increment in the old scale, before promotion to the new post on the new pay. The clerk's request for allowing them to excercise the option of earning their next increment in the scale of Rs. 92-8-140 on 1-1-1948 and then allowing promotion as S.A.Cs therefore, seems reasonable. If for some reasons or the other this may not be permossible, it is recommended that the date of their next increments in the S.A.C's scale of Rs. 100-8--140-10-150 may be advanced to 5-1-1948, the date on which the junior clerk Mr. Mody was promoted to their grade, on the analogy of orders in the G.R., F.D. No.-6567/33 dated 31-3-49, because as the case stands , the two senior clerks are getting less pay than their junior, thought promoted earlier in the same scale, an anomaly requiring early removal.

- Id.
13-5-

Superintending Engineer, S.G.C.

Id.
13-5-

Bombay Civil Services (Revisi of Pay) Rules 1948 : Clarification of Doubtful poiints in respect of the--

GOVERNMENT OF BOMBAY.
Public Works Department,
Resolution No. 6919/36-IX.
Bombay Castle, 2d June 1949.

Read letter No. G.R. 69/7711, dated the 9th November 1948, from the Superintending Engineer, Central Circle.

Read Government Resolution No. 6919/36-IX, dated the 1st April 1949.

Read endorsement No. ~~2418~~ 2418 dated the 13th May 1949, from the Superintending Engineer , South ~~Xxxxx~~ Gujrat Circle.

RESOLUTION :- Government is pleased to direct that in relaxation of Bombay Civil Services (Revision of Pay) Rules 1948, the service rendered by clerks in the unrevised scale of Rs. 95-5-115 and Rs. 70-5-95 (since revised to Rs. 100-8-140-10-150 and Rs. 92-8-140 respec~~xxxxxx~~tively) should be taken into account while computing the " completed years of service" in either scales for the purposes of Bombay Civil Services (Revision of Pay) Rules 1948.

By Order of the Governor of Bombay,
Id.
6-6-
(K.V. Joglekar)
Deputy Secretary to Government.

G.R. No. 6919/36-IX , P.W.D.; dated the 2nd June 1949.

To
The Finance Department.
All other Departments of the Secretariat(except the Separate Department)
The Accountant General ~~Xxxxxxxx~~ Bombay.(through the Finance Department).
The Electrical Commissioner with the Government of Bombay
The Superintending Engineers of Circles.
The Electrical Engineer to Government.
The Public Health Engineer to Government.
The Architect to Government.
The Director , Development Department Chawls.
All Executive Engineers.

No. of 1949.
Copy forwarded for information and guidance to.

Issued.
7-6-

No. 3461 of 1949.
Office of the Superintending Engineer
South Gujrat Circle, Surat 29.6.49.

To

The Secretary to Government,

Public Works Department,

Bombay.

Subject:- Representations from Messrs. G.M. Kotwal and H.N. Kapadia (S.A.Cs.) re: refixation of pay.

Reference:- This office endorsement No. 2418 dated 13-5-1949.

2. This office endorsement referred to above has been quoted in the premable of G.R. , P.W.D., No. 6919/36-IX dated 2-6-1949. However, the Government Resolution lays down that service rendered in either of the old scales 70-5-95 or 95-5-115 should be taken into account while computing the " completed years of service" in either scales. The pays of Messrs. C .M. Kotwal & H.N. Kapadia were fixed in the revised scales according to rule 8 (b) as being the lowest the three formula laid down in the rule . The G.R. of 2-6- does not therefore affect or alter their cases. The request is either for (i) to give option under B.C.S.R. 4 (a) or (ii) to advance the date of increment, vide para 4 of this office endorsement referred to above. I request orders of Government on the same.

Id.
28-6-
Superintending Engineer ,S.G.C.

6919/36/42811

E. B. (II). P. W. D.

Submitted.

2. As the orders issued in G.R. , P.W.D., No. 6919/36-IX, dated the 2-6-1949, do not rectify the annmalies which have occurrxed in the case of Messrs. C.M. Kotwal and M.N. Kapadia, clerks in the S.G.C., the S.E., S.G.c. has again represented their cases. It is for consideration, whether the recommendation made by the S.E. in the concluding portion of his letter under disposal , may be accepted in U.O. consultation with the F.D.,

Id.
8-7-49,.

Yes Id. 8-7-49.

U.O. to F.D. dated 9-7-49.

Finance Department(X)

Please see the S.E., S.G.C.'s endt. No. 2418 , dated the 18th May 1949 at pages 157-158 ante which fully describes the anomaly proposed to be rectified and also the solutions suggested.

Although the anomalyin the present case has arised after, and apparently xxon account of, xxxx fixation of pay of the incumbents from 1-1-1947, in accordance with the B.C.S. (Revision of Pay) Rules, 1948, it is, as a matter of fact, due xx to xxxxx reasons xxxxxxxxxxx un connected with these Rules, Mr. Modi, who was drawing the same pay a as drawn by Messrs. Kotwal, and Kapadia on 1-1-48 even though promoted later than his seniors Messrs. Kotwal and Kapadia gets more pay than that of the later on account of the fact that Mr. M. happenxd to be promoted just after he got his increment in is pay scale while Messrs. Kotwal and Kapadia were promoted before they earned any increment , It is a common occurance under the operation of the B.D.S.Rs. which do not provide any remedy for such a situation . Cases of the type have been dealt withaccording to the Rules and no exceptions have be

been made . The P.W.D. may be advised accord

Id. 1-7-49. Id. 18-7-49.

U.O.R. to P.W.D. dated 22-7-49.

EB.(II)25-7-

6919/36/48467.

E. B. (II). P. W. D.

Submitted with refce. to the O.N. dated the 8th July 1949.

2. The F.D. is not agreeable to the remedies suggested by this Department as they are beyond the scope and application of the B.C.S.R. That Department has further advised that cases of the type should be treated according to the Rules. For obvious reasons the F.D's advice is not acceptable. In this connection attantion is invited to G.R. P.W.D. No. 2832/36, dated the 16-2-1942, wherein it has been laid down that pay should be the main critenion in according seniority to a clerk . It is evident that anomalies which have refce. to this 168 rule which is peculiar to the P.W.D. alone, must be treated with special consideration. If this is not done, the just and equitable claims of the Sr. Clerks will be superceded by their juniors, which will have far-reaching effects on the clerks who were once senior . In the circumstances, the F.D. may be requested again, either to accept the alternatives suggested by this Department or to find out any other solution, so that the anomalies may be rectified.

Id.
1-8-49. Id- 1-8-49.

U.O. to F.D. dated 2-8-4

Finance Department. (X)

Submited with ref. to O.N. dated 19-7-49 at p. 167/168.

2. The anomaly arisen in the case of Messrs. Kotwal and Kapadia will have to be dealt on the lines of the decision taken in the case of Mr. Akolkar on E. & I.D. File No. 88(3) 12244/20288 U. The main condition required to be satisfied is whether the anomaly is gunuine in the sense that the junior is likely to be permanently, and not merely for a few months, better off than his seniors. As it appears to be a genuine one, it may be rectified as indicated in para 3. below.

3. The dates of increments of Messrs. Kotwal and Kapadia in the S.A.C's scale of Rs. 100-8-140-10-150 should be advaned to 5-1-1948, the date on which their junior Mr. Mody was promoted to the S.A.C's grade so as to ensure that they do not drww less than their junior. It should be stipulated that from the periods which the dates are advanced should be deducted the periods if, any for which their increments were postponed due to causes such as with-holding if increments, overstayal of leave or grant extra-ordonapdry leave not specifically allowed to count for increment. Effect to the re-fixation of pay may be gicen from the date of orders and no payment of arrears should be made for the periods by which their dates of increments are advanced.

Id. 2-9-49 Id. 3-9-49.

U.O.R. to the P.W.D. dated 5-9-49.

94

6919/36/58431

a

P. W. D.

No. 6919/36-IX-E(II). B.C. 10th September 1949.

TO

The S.E., S.G.C.

Subject:- Representations from Messrs. C.M. Kotwal and H.N. Kapadia (S.A.Cs in the S.G.C.) Refixation of pay.

-R-

Reference:- Your letter No. 3461, dated the 29th June 1949.

2. The dates of increments of Messrs. C.M. Kotwal and H.N. Kapadia, S.A .Cs. in scale of Rs. 100-8-140-10-150 should be advanced from the 15-5-47 and the 1-10-47 respectively to the 5-1-1948, the date on which their junior Mr. N.K. Modi was promoted to the S.A.C's grade. The periods, if any, for which the increments of the two clerks might have been postponed on account of causes not specifically allowed to count for increment, such as withholding of increments, over stayal, of leave or grant of extra-ordinary leave etc., should be taken into account in fixing the dates of increments of these two clerks.

3. The effect to the refixation of pays of Messrs. Kotwal and Kapadia should be given from the date of these orders and no payment of arreas shouls be made for the periods by which their dates of increments are advanced.

By order etc.-

Copy to-

The F.D.,

The A.G., Bombay (through the F.D.).

Id.
9-9-49.

Id.
8-8-49.

No. G.R. 69-6881 of 1949.
Public Works Department,
Poona 1. September 1949.

To,

The Secretary to Government,

Public Works Department,

Bombay.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948. . .

Reference:- Government letter No. 6919/36-IX-E (II) dated 27th January 1949.

On review of certain cases falling under this category in this Circle, I now find that there are no reasonable grounds to represent these to Government for consideration. No further action is therefore necessary on this point.

Id.

Superintending Engineer,

Central Circle.

Copy to the Executive Engineer, East Khandesh Division, Jalgaon for information, with reference to his No. A/4431 dated 20-4-49.

96

Letter.

From :

The Superintending Engineer,

Southern Circle.

To

The Secretary to Government,

Public Works Department,

Bombay.1.

No. G.R. 69. Public Works Department,
Belgaum : 6th December 1959.

Subject:- Bombay Civil Services (Revision of Pay) Rule 1948, Clarification of doubtful points in respect of the --

Reference:- G.R. (P.W.D.) No. 6919/36-IX dated the 2nd June 1949.

Government was pleased to allow the service rendered by clerks in the unrevised scale of Rs. 95-5-211 5 and Rs. 70-5-95 (since revised to Rs. 100-8-140-10-150) & 92-8-140 respectively)to count while computing the completed years of service in either scales for the purposes of Bombay C.S. (Revision of Pay Rules 1948.

2. In this connection I have to point out that the Scale of Rs. 70-5-95 referred to above is New (Post 1931) Scale and the old (pre 1931) Scale was-Rs. 75-5-100-. There-are some cases of clerks in this Circle who have rendered service partly in Pre 1931 and partly in Post 1931 Scales who do not get fully the benefit of the Government Letter under reference as only the Post 1931 Scale is mentioned therein.

3. In the circumstances , I request that Government may kindly be moved to allow the benefit of the G.R. to those clerks also who have put in service in corresponding Pre 1931 Scales also. These scales also appear under Col. 2 of the Schedule accompanying G.R.F.D. No. 6567/33-I dated the 15th January 1948.

4. Very early orders of Government are requested.

Id.
Superintending Engineer, S.C.

G.D.T.

THROUGH-

The Cheif Engineer to Government,
Public Works Department,
Bombay.

Letter.

No. 6919/36-IX-E (II)

Public Works Department,
Bombay Castle(Bombay No. 1),
28th December 1950.

To

The Superintending Engineer, Southern Circle.

Subject:- Bombay Civil Services (Revision of Pay) Rules 1948. Clarification of doubtful points in respect of the--

Reference:- Your letter No. G.R. 69,-dated 6th December 1950.

2. A copy of Government Letter, Public Works Department ? No 1264/48-e(II), dated the 14th December 1950, is enclosed for your information and guidance .

By order of the-Governor of Bombay

--------Id. 30-12-50.

(D.N. Daruwala,)

Assistant Secretary to the Government of Bombay.
Public Works Department.

Copy of
Govt. Letter.

Copy to gether with a copy of theaccompaniment, forwarded to:-

The Finance Department,

The Accountant General Bombay,

The Electrical Commissioner witht he Govt. of Bombay,

The other Superintending Engineers of Circles, (except the Superintending Engifeer, Central Circle.)

The Public Health Engineer, to Government,

The Electrical Engineer to Government,

The Director , Development Department Shawls,

The all Executive Engineers,

for information in continuation of Government Endorsement No. 6919/36-IX dated 2nd June 1949.

Copy of Government Letter, Public Works Department, No. 1264/48-E(II), dated the 14th December 1950, addressed to the Superintending Engineer, Central Circle, regarding Penstion to P.G. Joshi, clerk.

"Reference: Your endorsement No. G.84-11300, dated the 8th November 1950.

2 Government consideres that as the pre-1931 scale of Rs. 75-5-100 is a corresponding scale of the post-1931 scale of Rs. 70-5-95 , the service rendered in that scale (Rs. 75-5-100) should be taken into account while computing the number of completed years of service in the scale of Rs. 95-5-115 , which is a revised scale of pay for the existing scale pay Rs. 70-5-95.

True Copy.

S.A. Joshi,
Superintendent,
P.W.D. Secretariat.

31/8/56